### Town and County of Nantucket Board of Selectmen • County Commissioners

James R. Kelly, Chairman Rick Atherton Robert R. DeCosta Matt Fee Dawn E. Hill Holdgate



16 Broad Street Nantucket, Massachusetts 02554

Telephone (508) 228-7255 Facsimile (508) 228-7272 www.nantucket-ma.gov

C. Elizabeth Gibson Town & County Manager

AGENDA FOR THE MEETING OF THE
BOARD OF SELECTMEN
MAY 18, 2016 - 6:00 PM
PUBLIC SAFETY FACILITY COMMUNITY ROOM
4 FAIRGROUNDS ROAD
NANTUCKET, MASSACHUSETTS

- I. CALL TO ORDER
- II. BOARD ACCEPTANCE OF AGENDA
- III. ANNOUNCEMENTS
  - 1. The Board of Selectmen Meeting is Being Video/Audio Recorded.
  - 2. Nantucket Police Department: Presentation of Departmental Personnel Awards.
  - 3. 2016 Committee/Board/Commission Vacancies.
  - 4. Town Offices Closed Monday, May 30 in Observation of Memorial Day.
- IV. PUBLIC COMMENT\*
- V. NEW BUSINESS\*
- VI. APPROVAL OF MINUTES, WARRANTS AND PENDING CONTRACTS
  - 1. Approval of Minutes of April 20, 2016 at 6:00 PM.
  - 2. Approval of Payroll Warrants for Week Ending May 8, 2016; May 15, 2016.
  - 3. Approval of Treasury Warrants for May 11, 2016; May 18, 2016.
  - 4. Approval of Pending Contracts for May 18, 2016 as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference.

#### VII. CONSENT ITEMS

- 1. Resignation Acceptance: Roads and Right of Way Committee.
- 2. Notification as Required by Amendment to MGL Chapter 136, Section 6 for Sunday Change of Hours Applications from Noon to 10:00 AM for the Following Off Premises Alcoholic Beverages License Holder (Package Store): Bartlett's Ocean View Farm, Inc., Located at 33 Bartlett Farm Road.

#### VIII. CITIZEN/DEPARTMENTAL REQUESTS

 Faros 17 Broad LLC: Request for Approval and Execution of License Agreement to Allow for Encroachment of Planting Beds and Trees in Town-owned Property at 17 Broad Street.

#### IX. PUBLIC HEARINGS

- Public Hearing to Consider Joint Utility Petition for Nantucket Electric Company and Verizon New England, Inc. Plan # 21243744 to Relocate Pole 6 on Fairgrounds Road 9' Southwest of Existing Location for New Fire Station Entrance.
- 2. Public Hearing to Consider Joint Utility Petition for Verizon Communications and Nantucket Electric Company Plan # MA 2016-14 to Relocate Three Poles on Orange Street 546/37, 38 and 39 Easterly Approximately 7' Back from Edge of Pavement and 3' to 7' Northerly of their Existing Locations.
- 3. Public Hearing to Consider Petition for Verizon Communications Plan # MA 2016-15 to Place Approximately 104' of Cable in 1-3" PVC Conduit from Pole 546/38 on Orange Street Westerly Across Orange Street and Along Northerly Sideline of Bear Street to Pedestal 38 Bear Street.
- 4. Public Hearing to Consider Petition for Verizon Communications Plan # MA 2016-16 to Place Approximately 1-2" PVC Conduit 32' from Relocated Pole 546/37 on Orange Street Easterly Along Goose Pond Road to Proposed 16" x 19" Hand Hole.
- 5. Public Hearing to Consider Application for New Dealer in Junk, Old Metals and Second Hand Articles License for Osona Auctions for Premises Located at 21 Washington Street and 44 Nobadeer Farm Road.
- 6. Public Hearing to Consider Application for New Mobile Food Unit License for Enjoy Kitchen Catering, LLC (Continued from April 27, 2016).
- 7. Public Hearing to Consider Application for New Common Victualler License for Tuscany Enterprises, Inc. d/b/a Arno's, Dylan Ray Barker, Manager, for Premises Located at 41 Main Street.
- 8. Public Hearing to Consider Application for New Entertainment License for Tuscany Enterprises, Inc. d/b/a Arno's, Dylan Ray Barker, Manager, for Premises Located at 41 Main Street.

- 9. Public Hearing to Consider Application for New Entertainment License for Twenty-Four Broad Street, Inc. d/b/a Le Languedoc, Neil C. Grennon, Manager, for Premises Located at 24 Broad Street.
- 10. Public Hearing to Consider Application for New Seasonal Wine/Malt Beverages Section 12 General On Premises License for Theatre Workshop of Nantucket, Inc., Jonathan Jensen, Manager, for Premises Located at Bennett Hall, 62 Centre Street; Request for Determination that the Premises is Not Detrimental to the Spiritual Activities of a Church Pursuant to Section 16C of MGL Chapter 138.
- 11. Public Hearing to Consider Increasing Fee per Ton for Mixed Excavation Waste from \$30 per Ton to \$60 per Ton.

#### X. TOWN MANAGER'S REPORT

- 1. Information Technology: EnerGov ePermitting Presentation.
- 2. Department of Culture and Tourism: Review of Nantucket Cultural District; Ambassador Program; Fourth of July Update.
- 3. Request to Schedule Public Hearing to Standardize Business License Fee.

#### XI. SELECTMEN'S REPORTS/COMMENT

- Continued Discussion Regarding Board of Selectmen Strategic Planning Process.
- 2. Committee Reports.

#### XII. ADJOURNMENT

\* Identified on Agenda Protocol Sheet

Board of Selectmen Agenda Protocol:

- Roberts Rules: The Board of Selectmen follows Roberts Rules of Order to govern its meetings as per the Town Code and Charter.
- Public Comment: For bringing matters of public interest to the attention of the Board. The Board welcomes concise statements on matters that are within the purview of the Board of Selectmen. At the Board's discretion, matters raised under Public Comment may be directed to Town Administration or may be placed on a future agenda, allowing all viewpoints to be represented before the Board takes action. Except in emergencies, the Board will not normally take any other action on Public Comment. Any personal remarks or interrogation or any matter that appears on the regular agenda are not appropriate for Public Comment.

Public Comment is not to be used to present charges or complaints against any specifically named individual, public or private; instead, all such charges or complaints should be presented in writing to the Town Manager who can then give notice and an opportunity to be heard to the named individual as per MGL Ch. 39, s 23B.

- New Business: For topics not reasonably anticipated 48 hours in advance of the meeting.
- <u>Public Participation</u>: The Board welcomes valuable input from the public at appropriate times during the meeting with recognition by the Chair. For appropriate agenda items, the Chair will introduce the item and take public input. Individual Selectmen may have questions on the clarity of information presented. The Board will hear any staff input and then deliberate on a course of action.
- <u>Selectmen Report and Comment</u>: Individual Selectmen may have matters to bring to the attention of the Board. If the matter contemplates action by the Board, Selectmen will consult with the Chair and/or Town Manager in advance and provide any needed information by the Thursday before the meeting. Otherwise, except in emergencies, the Board will not normally take action on Selectmen Comment.

# EXHIBIT 1 AGREEMENTS TO BE EXECUTED BY TOWN MANAGER UNLESS RESOLUTION OF DISAPPROVAL BY BOARD OF SELECTMEN May 18, 2016

Type of Agreement/Description	Department	With	Amount	Other Information	Source of Funding
Professional Services Agreement	Town Admin/Our Island Home	PAL, Inc.	\$42,554	Archaeological site survey of Town-owned land adjacent to Sherburne Commons in connection with Our Island Home project	Art. 4/2015 STM
Service Agreement	Visitor Services	On-Cape Lithographers, a Print Synergy Solutions Company		Printing of annual Visitor Services brochure	Visitor Services Budget
Support Agreement	IT	Civic Plus	\$4,251.45	Annual support for Town website	IT Budget
Professional Services Agreement	Tammy Rolar		\$405,000 over three years	Occupational Therapy services for Our Island Home residents	OIH Budget
Professional Services Agreement	Turkuna		Not to exceed \$72,000 over three years	Accounting services to assist with Medicaid and Medicare cost reports for Our Island Home	OIH Budget
Professional Services Agreement	Our Island Home	Manning & Associates Physical Therapy	\$285,000 over three years	Physical Therapy services for residents of Our Island Home	OIH Budget
Professional Services Agreement	Our Island Home	Changing Tides Therapy, LLC	\$285,000 over three years	Physical Therapy services for residents of Our Island Home	OIH Budget
Professional Services Agreement	Our Island Home	Diane Pearl, M.D.	\$18,000 over three years	Medical Director services for Our Island Home	OIH Budget
Service Agreement	Natural Resources	On-Cape Lithographers, a Print Synergy Solutions Company	\$3,006	Printing of annual beach maps	Beach Revolver

Supply Agreement	Various Town Departments	Marine Home Center	Not to exceed \$360,000 over three years	Purchase of materials and supplies on an as needed basis	Various Budgets
Professional Services Agreement	DPW	Hazen & Sawyer	\$690,961	Ongoing design and construction administration services for Sea St Pump Station Renovation Project	Art. 12/2014 ATM
Professional Services Agreement	DPW	Hazen & Sawyer	\$1,189,904	Owners Project Manager services for Nantucket Harbor Shimmo and Plus Sewer Project	Art. 18/2016 ATM
Service Agreement	DPW	Libby Construction	\$14,250	Repairs to kitchen floor at Saltmarsh Center	Reserve Fund Transfer
Professional Services Agreement	DPW	Weston & Sampson	Not to exceed \$106,000	Owners Project Manager services for Sea St Pump Station Renovation Project	Art. 12/2014 ATM
Service Agreement	DPW	Island Carpet	\$5,320	Installation of carpet at 20 S. Water St	Art. 10/2011 ATM

### Committee Appointments 2016 Timeline As of 4/28/2016

- **April 20** Board of Selectmen review list of openings.
- **April 21** Notify members of committees whose terms are expiring.

**April 28; May 5, 12 and 19** – Advertise committee openings in newspaper and on Town's website; put on BOS agenda as announcement starting late-April.

May 20 – Deadline for submitting applications for committee openings that will be heard on May 25 to Town Administration office. This includes applications for:

- Agricultural Commission;
- Airport Commission;
- Board of Health;
- Capital Program Committee;
- Cemetery Commission;
- Conservation Commission;
- Contract Review Committee, Human Services;
- Council for Human Services;
- Council on Aging;
- Cultural Council:
- Finance Committee;
- Historic District Commission Associate; and
- Mosquito Control Commission.

May 25 – Public hearing for above listed committee applicants.

**May 27** – Deadline for submitting applications for committee openings that will be heard June 1 to Town Administration office. This includes applications for:

- Nantucket Affordable Housing Trust;
- Nantucket Historical Commission;
- Nantucket Historical Commission Alternate;
- Parks and Recreation Commission;
- Planning Board Alternate;
- Roads and Right-of-Way Committee;
- Scholarship Committee;
- Town Government Study Committee;
- Tree Advisory Committee;
- Visitor Services Advisory Committee;
- Zoning Board of Appeals; and
- Zoning Board of Appeals Alternate.

**June 1** – Public hearing for above listed committee applicants.

**June 22** – Appoint new committee members.

#### **2016 Committee Openings Information**

As of 4/14/2016

Committee	# seats open	Term Expiration	Notes
Agricultural Commission	1	2017	vacant
Agricultural Commission	2	2019	1 vacant
Airport Commission	1	2019	
Board of Health	1	2019	
Capital Program Committee	1	2019	
Cemetery Commission	1	2019	
Conservation Commission	3	2019	
Contract Review Committee, Human Services	1	2019	
Council for Human Services	1	2017	vacant
Council for Human Services	1	2018	vacant
Council for Human Services	3	2019	
Council on Aging	3	2019	
Cultural Council	1	2017	vacant
Cultural Council	3	2019	1 vacant
Finance Committee	1	2018	vacant
Finance Committee	3	2019	
Historic District Commission Associate	1	2019	
Mosquito Control Commission	1	2021	5-year term
Nantucket Affordable Housing Trust	2	2018	2-year term; at-large
Nantucket Affordable Housing Trust	1	2018	2-year term; real estate agent/broker
Nantucket Historical Commission	2	2019	
Nantucket Historical Commission Alternate	1	2019	
Parks and Recreation Commission	1	2018	vacant
Parks and Recreation Commission	1	2019	
Planning Board Alternate	1	2019	
Roads and Right of Way Committee	3	2019	
Scholarship Committee	2	2019	
Town Government Study Committee	7	2017	
Tree Advisory Committee	2	2019	
Visitor Services Advisory Committee	3	2019	
Zoning Board of Appeals	1	2021	5-year term
Zoning Board of Appeals Alternate	1	2019	

#### 2016 Committee Openings Information - appointments by Town Manager

As of 3/2/2016

Committee	# seats open	Term Expiration	Notes
ACNVT	1	2017	vacant
ACNVT	2	2018	2 vacant
ACNVT	5	2019	1 vacant
ACNVT	2		alternate seats
Commission on Disability	2	2019	1 vacant

2016 Committee Openings Information - appointments by Assessor

Committee	# seats open	Term Expiration	Notes
Abatement Advisory Committee	3	2017	

Nantucket Board of Selectmen **Broad Street** Nantucket, MA.

May 11, 2016

RE: Resignation Right of Way Committee

To The Selectmen,

Please accept this letter as my resignation from the Right of Way Committee. I have enjoyed my service on the committee and appreciate the hard work of the other members, but I can not give the effort that is required, so I am resigning.

Regards,

MAY 11 2016 AMB: 94 Joe Marcklinger

> RECEIVED MAY 1 1 2016 NANTUCKET TOWN ADMINISTRATION

Roads and ROW Committee		
Allen Reinhard	Chairman	2016
D. Anne Atherton	Secretary/Treasurer	2016
David Fredericks		2016
Bert Ryder		2017
Lee W. Saperstein		2017
Nathaniel Lowell		2017
John Stackpole		2018
Joseph Marcklinger		2018
Leslie W. Forbes		2018

### Memo

To: Board of Selectmen

From: Amy Baxter, Business License Inspector

cc: Libby Gibson, Town Manager; William Pittman, Chief of Police

**Date:** May 11, 2016

**Re:** BOS Public Hearing 5-18-16: Bartlett's Farm

Please find the attached documents for your review:

- 1. ABCC Form 43: Application for Change of Hours, Bartlett's Ocean View Farm
- 2. Vote of Corporate Board
- 3. References: ABCC Advisory MGL c 138; sec. 15 Off-Premises Retail Licenses Sunday Opening.
- 4. Current Bartlett's Farm Liquor License.

#### Please note:

- 1. No Fees required for this transaction.
- 2. Formal ABCC approval not required. New hours and License effective immediately upon vote of BOS.

### **Change of Hours Checklist**

This application will be returned if the following documentation is not submitted:

∨ote of Corporate Board or LLC

Note: No fee is required for this transaction as formal ABCC approval is not necessary



# The Commonwealth of Massachusetts Alcoholic Beverages Control Commission 239 Causeway Street Boston, MA 02114 www.mass.gov/abcc

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### FORM 43 MUST BE SIGNED BY LOCAL LICENSING AUTHORITY

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ABCC Lic	ense Nu	mber		-		City/1	ow	/n				-	Local A	pproval	Date	
TRANSACT	ION TYPI	E (Please chec	k all rele	vant transactions)	<u>):</u>											
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☐ Transfe	er of Lice	nse		Change of Locat	ion			☐ Ple	edge o	of Sto	ck		Seasona	l to Anı	nual	
Change	e of Man	ager		Alteration of Lice	ensed	d Premises		☐ Tra	nsfer	of St	ock		Change	of Licer	nse Type	
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D/B/A								Manager J	ohn V	V. Baı	rtlett					
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Licensee Co	ontact Pe	erson for Tran	saction	John W. Bartlett					Pho	one:	508-228-9	9403 (Of	fice)			
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The Loca	al Licensir	ng Authorities I	Зу:								Alcoholic		Control C cramone Director	ommissia	าก	-
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#### Bartlett's Ocean View Farm, Inc.

April 1st,

At the annual meeting of the stockholders of Bartlett's Ocean View, Inc., (the "corporation") on March 28, 2016, at which all of the stockholders were present, the stockholders voted unanimously as follows:

VOTED: To authorize the corporation to apply for a change of hours to allow sales of alcohol on Sundays to begin at 10:00 am for its annual wine and malt beverages license for the retail farmstand operated by the corporation at 33 Bartlett Farm Road, Nantucket, Massachusetts.

VOTED: To name John W. Bartlett as licensed manager for said license,

**VOTED:** That John W. Bartlett is hereby authorized to execute and deliver whatever documentation is necessary and required in order to secure said wine and malt beverages license change of hours.

Dated: March 28, 2016

David R. Bartlett, Clerk



# The Commonwealth of Massachusetts Department of the State Treasurer Alcoholic Beverages Control Commission 239 Causeway Street Boston, MA 02114

Kim S. Gainsboro

# THE ALCOHOLIC BEVERAGES CONTROL COMMISSION ("ABCC") ADVISORY M.G.L. c. 138, §15 OFF-PREMISES RETAIL LICENSEES SUNDAY OPENING TIME ALLOWED AT 10:00 A.M.

Effective October 23, 2014<sup>1</sup>, off-premises retail alcoholic beverages licensees (M.G.L. c. 138, §15) will be permitted to sell alcoholic beverages beginning at 10:00 a.m. on Sundays. Although under the law, these licensees are entitled as a matter of right to open at 10:00 a.m. and as such do not need the approval of the Local Licensing Authorities, licensees must notify the Local Licensing Authorities about the change of hours.

The simplest way for licensees to effectuate this change is to follow the process outlined in the CHANGE OF HOURS Application which may be found on our website at <a href="http://www.mass.gov/abcc/pdf/forms/nofeetransmittal.pdf">http://www.mass.gov/abcc/pdf/forms/nofeetransmittal.pdf</a>. Licensees should use this form to notify the Local Licensing Authority of the change in hours and attach a corporate vote authorizing the change. Upon receipt of this request, the Local Licensing Authority must approve it. The Local Licensing Authority should forward an approved "Form 43" with the additional Sunday hours of sale to the ABCC for each licensee affected.

As mentioned above, this law does not go into effect until October 23, 2014. All licensees should ensure that sales of alcoholic beverages take place only on the days and hours approved by the Local Licensing Authority. Licensees who fail to notify the Local Licensing Authority about the change to their hours are prohibited from making sales at an earlier time than those permitted on the face of their license.

As always, all licensees must ensure that they are in compliance with the Laws of the Commonwealth of Massachusetts, and that sales of alcoholic beverages take place only as authorized by applicable law. Individuals with questions concerning this advisory may contact Ralph Sacramone, Executive Director, at 617-727-3040 x 731.

(Issued: September 8, 2014)

<sup>&</sup>lt;sup>1</sup> The Massachusetts Legislature amended M.G.L. c 136, §6(52) which allow off-premises M.G.L. c. 138, §15 or so called "package store" license holders to sell alcoholic beverages, beginning at 10 A.M. on Sundays.

LICENSE #: 076200206 LICENSE FEE: \$1,000.00

# THE LICENSING BOARD for the TOWN OF NANTUCKET, MASSACHUSETTS HEREBY GRANTS AN

# SEASONAL PACKAGE STORE LICENSE TO EXPOSE, KEEP FOR SALE, AND TO SELL WINE AND MALT BEVERAGES

#### TO BE CONSUMED OFF THE PREMISES

**BUSINESS:** Bartlett's Ocean View Farm Inc.

DBA: BARTLETT'S FARM PREMISES: 33 Bartlett Farm Road

Nantucket, MA 02554

MANAGER: John W. Bartlett

PREMISES DESCRIBED AS:

Approximately 40 square feet of the first floor retail area for display/cooler and 40 square feet locked storage area in the rear of the first floor area.

The hours during which alcoholic beverages may be sold: In accordance with MGL Chapter 138 and amendments thereto with the local provision that patrons shall not be served alcoholic beverages after 11:00PM, including Sundays, or after 11:30PM on the day immediately before a legal holiday. Sunday sales shall not begin until 12:00 PM. Package stores shall not sell or deliver alcoholic beverages on Memorial Day, Thanksgiving Day, Christmas Day, and the day following Christmas Day, when Christmas Day occurs on a Sunday. Any restrictions apply as are on file by the Local Licensing Authority. In accordance with Article 40 ATM 2001, Chapter 86.1 Board of Health Regulations Prohibit Smoking in Certain Places Within The Town of Nantucket.

This license is granted and accepted upon the express condition that the licensee shall, in all respects, conform to all the provisions of the Liquor Control Act, Chapter 138 of the Massachusetts General Laws, as amended and any rules or regulations made thereunder by the licensing authorities, including, but not limited to Chapter 250 of the Town of Nantucket Rules and Regulations Governing Alcoholic Beverages.

IN TESTIMONY WHEREOF, the undersigned have hereunto affixed his official signature on this 16th day of March, 2016.



Robert De Costa Chairman, Board of Selectmen

#### THIS LICENSE IS VALID APRIL 1, 2016 – JANUARY 15, 2017

\*Unless earlier suspended, cancelled, or revoked

#### LICENSE AGREEMENT

This LICENSE AGREEMENT (hereinafter referred to as the "License") is executed this day of May, 2016 by and between the TOWN OF NANTUCKET, a Massachusetts municipal corporation acting by and through its Board of Selectmen, having an address of Town & County Building, 16 Broad Street, Nantucket, Massachusetts 02554 (the "LICENSOR"), and FAROS 17 BROAD LLC, a Delaware limited liability company having its principal office at 551 Fifth Avenue, Suite 413, New York, New York 10176 (the "LICENSEE").

WHEREAS, the LICENSEE is the owner of record of a certain parcel of land at 17 Broad Street, Nantucket, Massachusetts as described in the Deed recorded with Nantucket County Registry of Deeds in Book 1440, Page 128 and shown on a plan of land entitled "Plan of Land #17 Broad Street in Nantucket, Massachusetts," dated June 3, 2013, prepared by Nantucket Surveyors, LLC recorded with said Deeds as Plan No. 2013-44 ("17 Broad Street");

WHEREAS, the LICENSEE proposes to construct and maintain planting beds for plantings, plant and maintain trees and other plantings and construct and maintain a brick sidewalk from the building and planting beds to the edge of the street pavement except for the surroundings of the trees as shown on a plan attached hereto entitled "HDC Submission/Site Plan, revised September 23, 2015, prepared by Ahern, LLC," (the "Plan") a copy of which is attached hereto as Exhibit A (the "Planting Work");

WHEREAS, the LICENSOR is the owner of the sidewalks adjacent to 17 Broad Street, and the land in the layout of Broad Street and North Water Street as shown on the Plan (the "Property");

WHEREAS, the Planting Work will encroach onto portions of the Property;

WHEREAS, the LICENSEE has requested the LICENSOR'S permission to construct the planting beds, plant trees and other plantings in the planting boxes and construct and maintain a brick sidewalk from the building in the proposed locations of the Property shown on the Plans;

WHEREAS, the LICENSOR is willing to permit the LICENSEE to construct and maintain the planting boxes and the brick sidewalk, and plant and maintain the trees and plantings, subject to the terms set forth herein;

NOW THEREFORE, the LICENSOR hereby grants a non-exclusive entry and license to use portions of the Property to the LICENSEE, subject to the following terms and conditions:

#### I. USE, PURPOSE, TERM

Entry and use are limited to the portions of the Property on which are or will be situated the planting boxes, brick sidewalk and the land surrounding the trees shown on the Plan (the "Licensed Premises").

Entry and use are specifically, but not exclusively, granted to the LICENSEE, its contractors, agents, representatives, and invitees, solely for the purposes of constructing, repairing and maintaining the planting boxes and the sidewalk and for planting and caring for the trees and plantings, as shown on the Plan, and for all purposes and uses incidental to the purposes stated herein, including but not limited to the planting and maintenance of the landscaping improvements and the planting boxes and brick sidewalk, at its sole cost and expense, provided there are no changes to the location of the encroachment and landscaping improvements as shown on the Plan.

Such entry and use by the LICENSEE, its contractors, agents, representatives, and invitees, shall be exercised from the date of the execution of this License and shall continue unless sooner terminated in accordance with the provisions of Section VII below. Such entry and use shall be further limited by the provisions of Section VI.

#### II. CONSIDERATION

The consideration for this License shall be \$1.00, the payment of all costs and expenses associated with the exercise of the rights granted hereunder, together with the observation and performance by the LICENSEE of all the obligations and covenants set forth within this agreement to the reasonable satisfaction of the LICENSOR.

#### III. INSURANCE

The LICENSEE shall maintain during the term of this License public liability insurance, including coverage for bodily injury, wrongful death and property damage, in an amount acceptable to the LICENSOR set forth herein to support the obligations of the LICENSEE under the terms and conditions of this License to indemnify, defend and hold harmless the LICENSOR. The insurance coverage required hereunder shall be placed with insurance companies licensed by the Massachusetts Division of Insurance to do business in the Commonwealth of Massachusetts and have a Best's rating of B+ or better.

Prior to entering upon the Licensed Premises, and thereafter annually upon renewal of the required insurance policy, the LICENSEE shall provide the LICENSOR with a certificate of insurance indicating the LICENSOR is an additional insured on the policy and showing compliance with the foregoing provisions. The LICENSEE shall require the insurer to give notice of cancellation in accordance with policy provisions.

The LICENSEE or the LICENSEE'S contractors shall maintain worker's compensation insurance during any construction, maintenance or repair of the Licensed Premises, as required by law. The LICENSEE agrees that any contractor performing work on behalf of the LICENSEE at the Licensed Premises shall carry liability insurance in amounts satisfactory to the LICENSOR, and shall name the LICENSOR as an additional insured party. Prior to any maintenance or repair work performed by the LICENSEE or any contractor on behalf of the LICENSEE on the Licensed Premises, the LICENSEE shall provide the LICENSOR with a copy of the contractor's insurance certificate indicating liability insurance coverage as herein

specified, and copies of any approvals, including any permits, necessary or obtained to conduct said construction.

#### IV. INDEMNIFICATION

The LICENSEE shall indemnify, defend and hold harmless the LICENSOR from and against any and all claims, demands, suits, actions, costs, judgments, whatsoever, including reasonable attorney's fees and expenses, which may be imposed upon, incurred by, or asserted against the LICENSOR or its agents, employees, successors and assigns by reason of (a) any failure on the part of the LICENSEE to comply with any provision or term required to be performed or complied with by the LICENSEE, its agents, employees, contractors, representatives or invitees or under this License, or (b) for the death, injury or property damage suffered by any person on account of or based upon the act, omission, fault, negligence or misconduct of any person whomsoever, other than the LICENSOR relating in any way, to the LICENSEE'S exercise of its rights under this License. The provisions of this Section shall survive the termination of this Agreement.

#### V. CONDITION OF THE PREMISES

The LICENSEE acknowledges and agrees that it accepts the Licensed Premises in "AS IS" condition for the purpose of this License, and that the LICENSOR has made no representation or warranty regarding the fitness of the Licensed Premises.

#### VI. CONDUCT

The LICENSEE shall procure all necessary permits before undertaking any work on the Licensed Premises. The LICENSEE, and its contractors, employees and agents, shall be responsible, at it sole expense and expense for constructing the planting boxes and the brick sidewalk, planting the trees and other plantings as shown on the Plan and maintaining improvements in good condition, and watering the plantings. The LICENSEE also agrees to maintain the trees at a height so as to not interfere with the sight lines on the roadway for safe walking and driving. During the exercise of the rights hereby granted, the LICENSEE shall at all times conduct itself so as not to unreasonably interfere with the operations of the LICENSOR, and observe and obey applicable laws, statutes, ordinances, regulations and permitting or licensing requirements. The LICENSEE shall at all times comply with (i) plans and specifications (which shall be prepared by and at the expense of the LICENSEE and approved by the LICENSOR); and (ii) all applicable local, state and federal rules, regulations, statutes and bylaws. If there are any changes in the location of the improvements on the Licensed Premises, then the LICENSEE must obtain the LICENSOR'S prior written approval to change the location of the encroachment in the Licensed Premises and the trees and plantings in the Licensed Premises.

The LICENSEE shall not permit any mechanics' liens or similar liens, to remain upon the Licensed Premises for labor and material furnished to the LICENSEE or claimed to have been furnished to the LICENSEE in connection with work if any character performed or claimed to

have been performed at the direction of the LICENSEE and the LICENSEE shall cause any such lien to be released of record forthwith without cost to the LICENSOR.

The LICENSOR shall not, under any circumstances, be liable for the payment of any expenses incurred, or for the value of any work done or material furnished to the Licensed Premises or any part thereof, but all such improvements and alterations shall be done and materials and labor furnished at the LICENSEE's expense, and the laborers and materialmen's furnishing labor and materials for the work shall release the LICENSOR from any liability.

Nothing in this Agreement shall be construed as requiring the LICENSOR to maintain the Property, in any manner, and any maintenance which may be performed on the Property by the LICENSOR shall be at the sole and absolute discretion of the LICENSOR.

The provisions of this Section shall survive the expiration or termination of this License.

#### VII. TERMINATION and REVOCATION

This License shall be revocable by either party upon written notice of revocation at least thirty (30) days prior to the termination date stated within said notice. During said thirty day period, if the LICENSOR requests, the LICENSEE, at its sole cost and expense, will remove the encroachment upon or over the Licensed Premises, and return the Licensed Premises to substantially the same condition as it was originally, as nearly as possible. This obligation shall survive the termination of this License.

#### VIII. MODIFICATIONS and AMENDMENTS

Modifications or amendments to this License shall be in writing and duly executed by both parties hereto to be effective.

IX. NOTICE

For purposes of this License, the parties shall be deemed duly notified in accordance with the terms and provisions hereof, if written notices are mailed to the following addresses:

Town: Town of Nantucket

Board of Selectmen

Town & County Building

16 Broad Street

Nantucket, MA 02554

With a copy to: Kopelman and Paige, P.C.

101 Arch Street

12<sup>th</sup> Floor

Boston, MA 02110

ATTN: Vicki S. Marsh, Esq.

Licensee: Faros 17 Broad LLC

551 Fifth Avenue, Suite 413, New York, New York 10176

With a copy to: Sarah F. Alger, Attorney

Sarah F. Alger, PC Two South Water Street

Nantucket, Massachusetts 02554

These addresses are subject to change, and the parties hereto agree to inform each other of such changes as soon as practicable.

#### X. RIGHTS OF THE TOWN TO ENTER

The LICENSOR reserves the right and the LICENSEE shall permit the LICENSEE to enter upon and use the Licensed Premises at any time and for any and all purposes at the LICENSOR'S sole discretion.

#### XI. NO ESTATE CREATED

This License shall not be construed as creating or vesting in the LICENSEE any estate in the Premises, but only the limited right of possession as hereinabove stated.

#### XII. EXHIBITS and ATTACHMENTS

Any and all exhibits and attachments referenced herein or attached hereto are duly incorporated within this agreement.

#### XIII. SURVIVAL of TERMS and PROVISIONS

All appropriate terms and provisions relating to the restoration of the Licensed Premises shall survive the termination of this License.

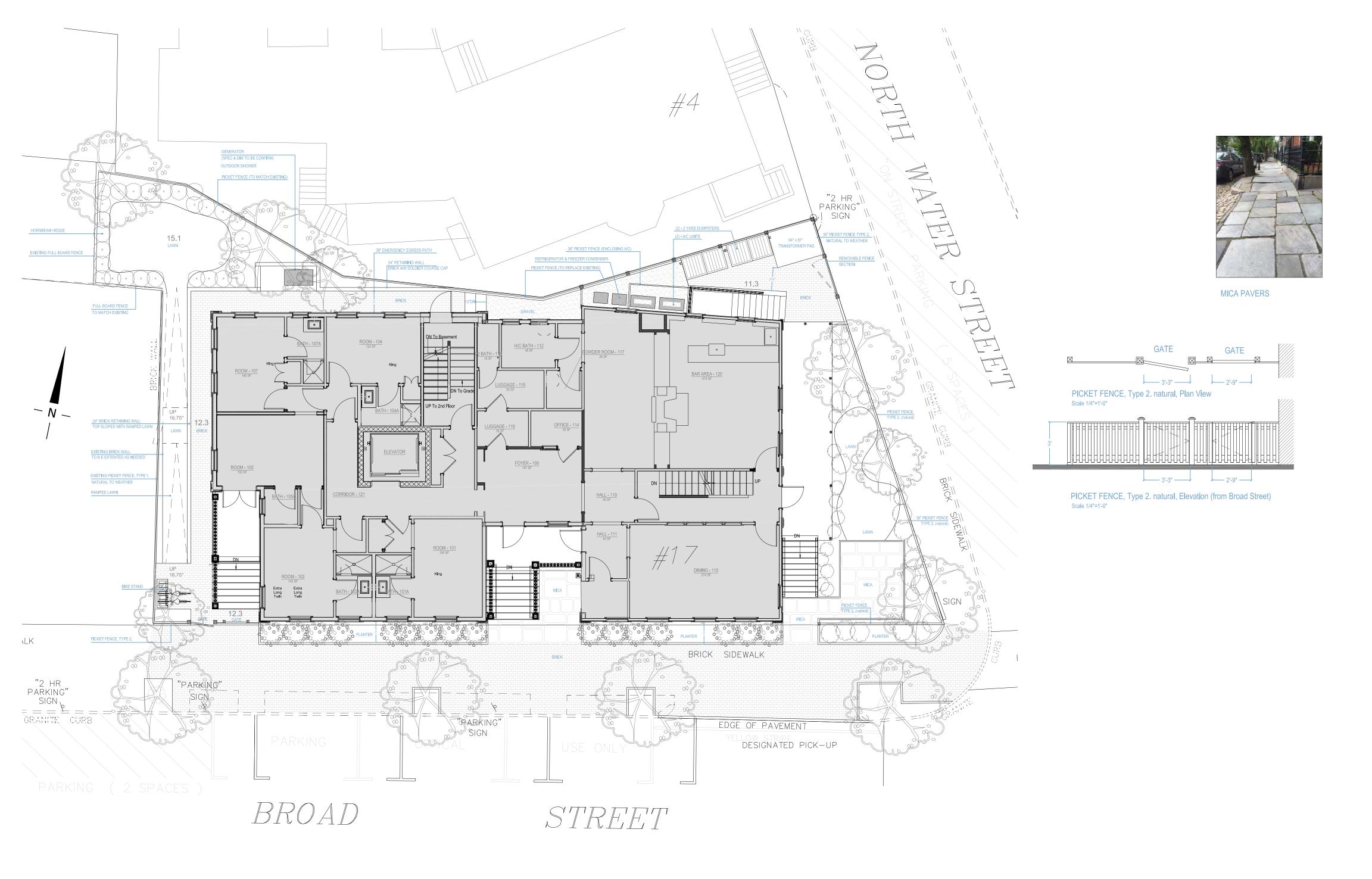
Remainder of Page Intentionally Left Blank. Signatures on Following Page.

IN WITNESS WHEREOF, the parties hereto have caused this License Agreement to be executed as a sealed instrument and signed in duplicate by their duly authorized representatives, on the date first indicated above.

DICENSON.	
TOWN OF NANTUCKET By its Board of Selectmen	
	Date:
James R. Kelly	
Dawn E. Hill Holdgate	
Rick Atherton	
Robert DeCosta	
Matthew G. Fee	
LICENSEE: Faros 17 Broad LLC	
By:	Date: May 13, 2016
Alexander Leventhal , Manager	

551735NANT19713/0001

LICENSOR.





## HDC SUBMISSION / SITE PLAN

REVISED (for STUFF APPROVAL) September 23 2015 Scale 1/8" = 1'-0"

## FAROS PROPERTIES, LLC

17 BROAD STREET, NANTUCKET MA 02554

#### **UTILITY PETITIONS DEPARTMENTAL COMMENTS**

APPLICANT:

National Grid Joint Petition with Verizon

TYPE:

**Pole Relocation** 

SITE ADDRESS:

Fairgrounds Road

**HEARING DATE:** 

May 18, 2016

#### **COMMENTS**

NPD:

The NPD does not object to this project as submitted. -Chief Pittman

FIRE:

NFD has no comments or concerns.

-Chief Rhude

PLANNING:

no comments.

-Mike Burns

DPW:

No Comment

-Silvio Genao

WW:

Wannacomet Water has no objection to this petition. -Bob Gardner

D. FREDERICKS:

Attention be paid to how the area is left give the high volume of pedestrian

activity in the area

#### PETITION FOR JOINT POLE RELOCATIONS

Town Copy

Nantucket, MA 02554

March 3, 2016

To the Board of Selectmen of the Town of Nantucket, Massachusetts

#### NANTUCKET ELECTRIC COMPANY and VERIZON NEW ENGLAND, INC.

request permission to relocate poles, wires, cables and fixtures, including anchors, guys and other such necessary sustaining and protecting fixtures, along and across the following public way or ways:-

#### Fairgrounds Road

NGRID propose to relocate pole 69' southwest of existing. The reason is that the existing pole will interfere with the new entrance for the new fire station.

Wherefore they ask that they be granted a joint relocation for and permission to erect and maintain poles, wires, cables and fixtures to be placed thereon, together with anchors, guys and other such sustaining and protecting fixtures as they must find necessary, said poles to be located substantially in accordance with the plan filed herewith marked:

#### NANTUCKET ELECTRIC COMPANY and VERIZON NEW ENGLAND, INC.

Plan No. 21243744 Dated 03/02/2016

Also for permission to lay and maintain underground cables conduits, wires and necessary equipment in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioners agree to reserve space for one cross arm at a suitable point on each of said poles for the fire, police, telephone and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

NANTUCKET ELECTRIC COMPANY

By: Manager of Distribution Design

VERIZON NEW ENGLAND, INC.

Manager, R.O.W.

#### ORDER FOR JOINT POLE RELOCATION

Nantucket, MA 02554

March 3, 2016

By the Board of Selectmen of the Town of Nantucket, Massachusetts

#### IT IS HERE BY ORDERED:

that NANTUCKET ELECTRIC COMPANY and VERIZON NEW ENGLAND, INC. be and they are hereby granted a joint relocation for and permission to erect and maintain poles with wires and cables to be replaced thereon, together with anchors, guys and other such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the 3<sup>rd</sup> day of March, 2016

All construction under this order shall be in accordance with the following conditions:-

Poles shall be sound and timber, and reasonably straight, and shall be set substantially at the points indicated upon the Plan No. 21243744 Dated 03/02/2016 filed with said petition.

There may be attached to said poles by said NANTUCKET ELECTRIC COMPANY necessary wires, cables and fixtures and by said VERIZON NEW ENGLAND, INC. not to exceed 40 wires and 4 cables and all of said wires and cables shall be placed at a height of not less than 18 feet from the ground at highway crossings, and not less than 16 feet from the ground elsewhere.

The following are public ways or parts of ways along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:-

#### Fairgrounds Road

NGRID propose to relocate pole 69' southwest of existing. The reason is that the existing pole will interfere with the new entrance for the new fire station.

Also, there shall be a reservation of one (1) underground conduit for the fire, police, telephone, internet and telegraph signal wires belonging to and used by the municipality for any municipal purpose.

Also that permission be and hereby is granted to each of said Companies to lay and maintain underground cables, conduits, wires and necessary equipment in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each may desire for distributing purposes.

I hereby certify that the foregoing order was a	dopted at a meeting	of the Board of Selectmen of the Town	1
of Nantucket, Massachusetts, held on the	day of	2016	<
		Clerk of Selectmen	

#### ORDER FOR JOINT POLE RELOCATION

Nantucket, MA 02554

March 3, 2016

By the Board of Selectmen of the Town of Nantucket, Massachusetts

#### IT IS HERE BY ORDERED:

that NANTUCKET ELECTRIC COMPANY and VERIZON NEW ENGLAND, INC.

be and they are hereby granted a joint relocation for and permission to erect and maintain poles with wires and cables to be replaced thereon, together with anchors, guys and other such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the 3<sup>rd</sup> day of March, 2016

All construction under this order shall be in accordance with the following conditions:-

Poles shall be sound and timber, and reasonably straight, and shall be set substantially at the points indicated upon the

Plan No. 21243744 Dated 03/02/2016 filed with said petition.

There may be attached to said poles by said NANTUCKET ELECTRIC COMPANY necessary wires, cables and fixtures and by said VERIZON NEW ENGLAND, INC. not to exceed 40 wires and 4 cables and all of said wires and cables shall be placed at a height of not less than 18 feet from the ground at highway crossings, and not less than 16 feet from the ground elsewhere.

The following are public ways or parts of ways along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:-

#### **Fairgrounds Road**

NGRID propose to relocate pole 69' southwest of existing. The reason is that the existing pole will interfere with the new entrance for the new fire station.

Also, there shall be a reservation of one (1) underground conduit for the fire, police, telephone, internet and telegraph signal wires belonging to and used by the municipality for any municipal purpose.

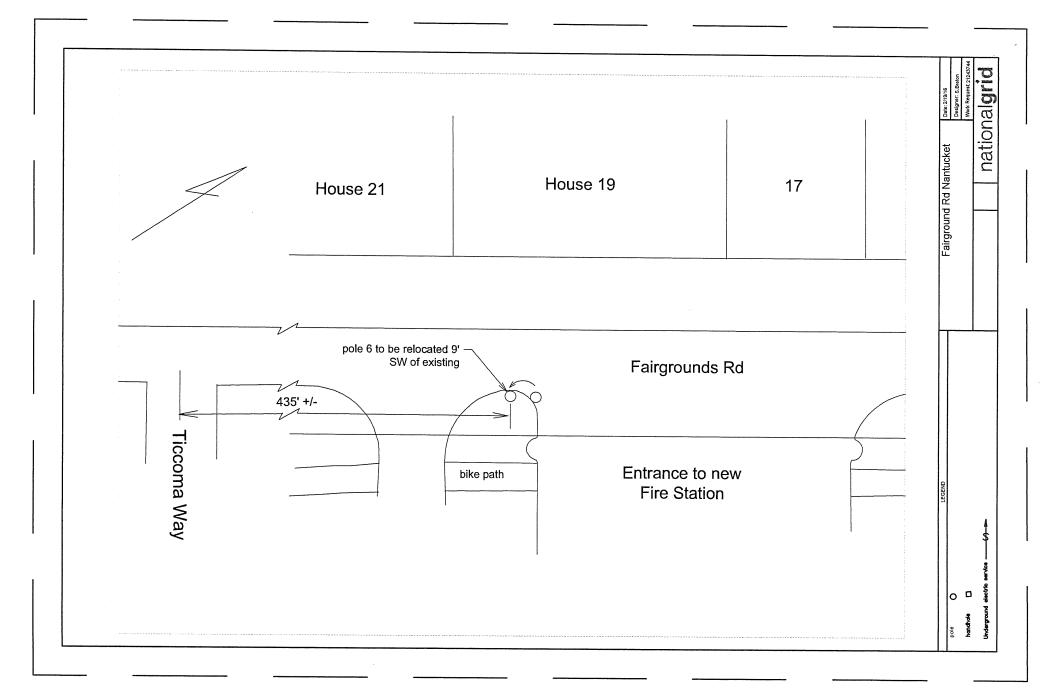
Also that permission be and hereby is granted to each of said Companies to lay and maintain underground cables, conduits, wires and necessary equipment in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each may desire for distributing purposes.

I hereby certify that the foregoing order was a	dopted at a meeting	of the Board of Selectmen of the T	own
of Nantucket, Massachusetts, held on the	day of	2016	
		Clerk of Selectmen	

We hereby certify			2016	at	o'clock,	M.
AT A NUMBER OF THE REAL AND A NUMBER OF THE RE		iblic hearing was held on t		סיפו מוג		
		s, wires, cables, fixtures a			e order	
		mailed at least seven days				
		o each the owners of real				
		the ways or parts of ways tares and connections und				
order was duly adopt					F	
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			***			***************************************
						<u> </u>
		Selectmen of the Town of	f			
				, Massachuse	etts	
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· · The material of the st			rificate	1		
-	_	going is a true copy of a jo				notice
		nen of the Town of Nantuc 2016 recorded with the			- · · · .	
Book	······································		records or location	i oldels of se	aid TOWII,	
	_		apter 166 of Gene	ral Laws and	l any additions the	reto or
nendments thereof.		or the provision or on			- Life Guardina tile	
		A	ttest: Town Cler	1,-		
			rown Cier	<i>v</i>		

### Pole & UG Petition/Permit Request Form

City Town of Nantucket			WR# 2124374	4
(circle one)  Install(quantity)	SO JO (circle on	Poles on	(street name)	
Remove(quantity)	SO JO : (circle on	Poles on	(street name)	
Relocate 1 JO (quantity)	SO JO	Poles on e)	Fairgrounds Rd) (street name)	
Beginning at a point approxim	ately	distance)	feet of (compass heading)	the centerline
of the intersection of		(st	reet name)	
and continuing approximately	(dist	fe	et in a(compass heading)	direction.
Install underground facilities:				
Street(s)				
Description of Work:				-44
Relocate pole 6 9' southwest interfere with the new entrand				sting pole wil
ENGINEER S.Breton				
DATE 3-2-16				



#### UTILITY PETITIONS DEPARTMENTAL COMMENTS

APPLICANT:

Verizon: MA 2016-14

TYPE:

Utility Petition: Relocate 3 Poles

SITE ADDRESS:

**Orange Street** 

**HEARING DATE:** 

May 18, 2016

#### **COMMENTS**

NPD:

The NPD does not have any concerns with this project. Police details will be required if the project involves obstructing traffic on Orange St. or any other

involved street.

-Chief Pittman

FIRE:

NFD has no comments or concerns.

-Chief Rhude

PLANNING:

No comments.

Just a note that this is necessary for the first phase of the In-town bike path project.

-Mike Burns

DPW:

Any conduit crossings on asphalt roads must be directionally drilled or if a trench needs to be excavated then it needs to be backfilled with flowable fill, left to sit and cure and then paved with asphalt flush to the road. Any grass areas must be loamed

and seeded to their existing condition or better.

-Silvio Genao

WW:

Wannacomet has no objection to this petition.

-Bob Gardner

D. FREDERICKS:

Attention should be paid to how the area is left give the high volume of pedestrian

activity in the area

#### PETITION FOR JOINT OR IDENTICAL POLE RELOCATION

March 25, 2016

To the Board of Selectmen

in NANTUCKET, Massachusetts

VERIZON NEW ENGLAND INC. and NANTUCKET ELECTRIC COMPANY request permission to locate poles, wires, cables and fixtures including the necessary anchors, guys and other such sustaining and protecting fixtures to be owned and used in common by your petitioners, along and across the following public way or ways:

The petition proposes to relocate three (3) poles on Orange Street - 546/37, 38 & 39, easterly approximately 7' back from the edge of pavement and 3'to 7' Northerly from their existing locations.

This work is being requested by the Mass DOT to accommodate the expansion of the "ORANGE STREET & IN-TOWN MULTI-USE PATH".

Wherefore they pray that after due notice and hearing as provided by law, they be granted joint or identical locations for and permission to erect and maintain poles, wires and cables, together with anchors, guys and other such sustaining and protecting fixtures as they may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked-VZ N.E. Inc. No. MA2016-14 Dated March 11, 2016.

Also for permission to lay and maintain underground laterals, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioners agree that space shall be reserved and maintained for the limited purpose of attaching one-way low voltage fire and police signaling wires owned by the municipality or governmental entity for public safety purposes only.

VERIZON NEW ENGLAND INC.

By Day Coysen	
Rights of Way- Agent  Dated this 25 day of MAR, , 2016.	
NANTUCKET ELECTRIC COMPANY	
Rights of Way Agent SUPERVISING LEAD	Cherioter
Dated this, day of, 2016	

#### ORDER FOR JOINT OR IDENTICAL POLE RELOCATION

By the Board of Selectmen of the Town of NANTUCKET, Massachusetts.

Notice having been given and a public hearing held, as provided by law, IT IS HEREBY ORDERED:

that **VERIZON NEW ENGLAND INC**. and **NANTUCKET ELECTRIC COMPANY** be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and their respective wires and cables to be placed thereon, together with anchors guys and other such sustaining and protecting fixtures as said Companies may deem necessary, in public way or ways hereinafter referred to, as requested in petition of said Companies dated the **25th** day of **MARCH**, **2016**.

The petition proposes to relocate three (3) poles on Orange Street - 546/37, 38 & 39, easterly approximately 7' back from the edge of pavement and 3'to 7' Northerly from their existing locations.

This work is being requested by the Mass DOT to accommodate the expansion of the "ORANGE STREET & IN-TOWN MULTI-USE PATH".

All construction under this order shall be in accordance with the following conditions:

Poles shall be of sound timber, and reasonably straight and shall be set substantially at the points indicated upon the plan marked-VZ N. E. Inc. No. MA2016-14 in a package Dated 3/11/2016 - filed with said petition.

The following are the public ways or parts of ways along which the poles above referred to may be erected, and the number of poles, which may be erected thereon under this order:

Relocate - Three (3) poles on Orange Street

Also that permission be and hereby is granted to each of said Companies to lay and maintain underground laterals, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each may desire for distributing purposes.

I hereby certify that the foregoing order w	as adopted at a meeting of t	the Selectmen in the Town of
NANTUCKET, Massachusetts held on the	day of	2016.
	Clerk of Selectmen	

We hereby certify that on	2016, ato'clockm at
a public hearing	was held on the petition of the VERIZON NEW ENGLAND INC.
-	rground conduits, manholes and connection, with the wires and
-	the order herewith recorded, and that we mail at least seven days
_	ne time and place of said hearing to each of the owners of real
•	ng assessment for taxation) along the ways or parts of ways upon
	struct the lines of said Company under said order. And that
thereupon said order was duly adopted.	
	<del></del>
	C. L. C.
	Selectmen of the Town of <b>NANTUCKET</b> , Massachusetts
	CERTIFICATE
•	g is a true copy of location order, and certificate of hearing with
	en of the Town of <b>NANTUCKET</b> , Massachusetts, on the
	nd recorded with the records of location orders of said Town,
Book Page This certified aws and any additions thereto or amend	d copy is made under the provisions of Chapter 166 General
aws and any additions mereto or amend	iments thereof.
	Attest:
	Town Clerk

### verizon

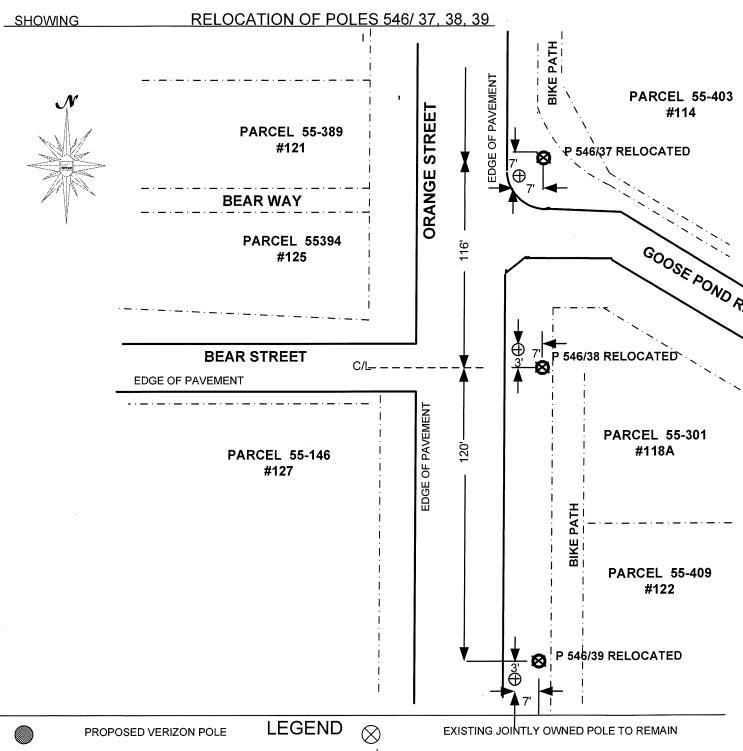
#### **PETITION PLAN**

#### **NANTUCKET**

VERIZON NEW ENGLAND, INC and NANTUCKET ELECTRIC COMPANY

NO. MA2016-14

DATE: MARCH 11, 2016



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\*

VERIZON POLE TO REMAIN

VERIZON POLE TO BE REMOVED

 $\otimes$ 

EXISTING JOINTLY OWNED POLE TO BE REMOVED

8

PROPOSED JOINTLY OWNED POLE

\_т\_\_\_т

 $\boxtimes$ 

EXISTING POWER CO. POLE TO BE HELD JOINTLY

EXISTING VERIZON MANHOLE EXISTING VERIZON CONDUIT

PROPOSED VERIZON MANHOLE PROPOSED VERIZON CONDUIT PROPOSED VERIZON CABINET

POWER CO. POLE TO BE REMOVED

#### UTILITY PETITIONS DEPARTMENTAL COMMENTS

APPLICANT:

Verizon: #MA 2016-15

TYPE:

Order for Conduit Location

SITE ADDRESS:

Orange St & Bear St

**HEARING DATE:** 

May 18, 2016

#### **COMMENTS**

NPD:

The NPD does not have any concerns with this project as proposed. Police details may

be required if the project interferes with traffic.

-Chief Pittman

FIRE:

NFD has no comments or concerns. -Chief Rhude

PLANNING:

No comments, only that this is also part of the In-town bike path. -Mike Burns

DPW:

Any conduit crossings on asphalt roads must be directionally drilled or if a trench needs to be excavated then it needs to be backfilled with flowable fill, left to sit and cure and then paved with asphalt flush to the road. Any grass areas must be loamed

and seeded to their existing condition or better.

-Silvio Genao

WW:

This work will entail crossing the existing 12" water main on Orange Street.

Wannacomet requests that we be notified 48 hours before the start of work so that we

can mark out the water main.

-Bob Gardner

D. FREDERICKS: Attention to be paid to how the area is left give the high volume of pedestrian

activity in the area.

#### PETITION FOR UNDERGROUND LOCATIONS

March 25, 2016

To the Board of Selectmen

in NANTUCKET, Massachusetts

VERIZON NEW ENGLAND INC. requests permission to take ownership of conduit placed for us to lay and maintain underground wires and cables to be placed therein, under the surface of the following public way or ways:

This petition proposes to place approximately 104' of cable in 1-3" PVC CONDUIT placed by Project Manager from pole 546/38 Orange Street, Westerly across Orange Street and along the Northerly sideline of Bear Street to pedestal 38 Bear Street.

This work is being requested by the MassDOT for the expansion of the "ORANGE STREET & IN-TOWN MULTI-USE PATH"

Also for permission to lay and maintain underground conduits, manholes, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as it may desire for distributing purposes.

Plan marked-VZ N.E. Inc. No. MA2016-15 Dated March 11, 2016 showing location of conduit to be constructed is filed herewith.

VERIZON NEW ENGLAND INC.

Rights of Way- Agent

Dated this as day of MAC, 2016.

#### ORDER FOR UNDERGROUND LOCATIONS

By the Board of Selectmen of the Town of NANTUCKET, Massachusetts.

That permission be and hereby is granted the VERIZON NEW ENGLAND INC. to take ownership of conduit placed by the General contractor to allow us to places wires and cables therein, under the surface of the following public way or ways as requested in petition of said Company dated the **25th** day of **MARCH**, **2016**.

This petition proposes to place approximately  $104^{\circ}$  of cable in  $1-3^{\circ}$  PVC CONDUIT placed by Project Manager from pole 546/38 Orange Street, Westerly across Orange Street and along the Northerly sideline of Bear Street to pedestal 38 Bear Street.

This work is being requested by the MassDOT for the expansion of the "ORANGE STREET & IN-TOWN MULTI-USE PATH"

Substantially as shown on plan marked-VZ N.E. Inc., No. MA2016-15 dated 03/11/2016 filed with said petition.

Also that permission be and hereby is granted said VERIZON NEW ENGLAND INC. to lay and maintain underground conduits, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as it may desire for distributing purposes.

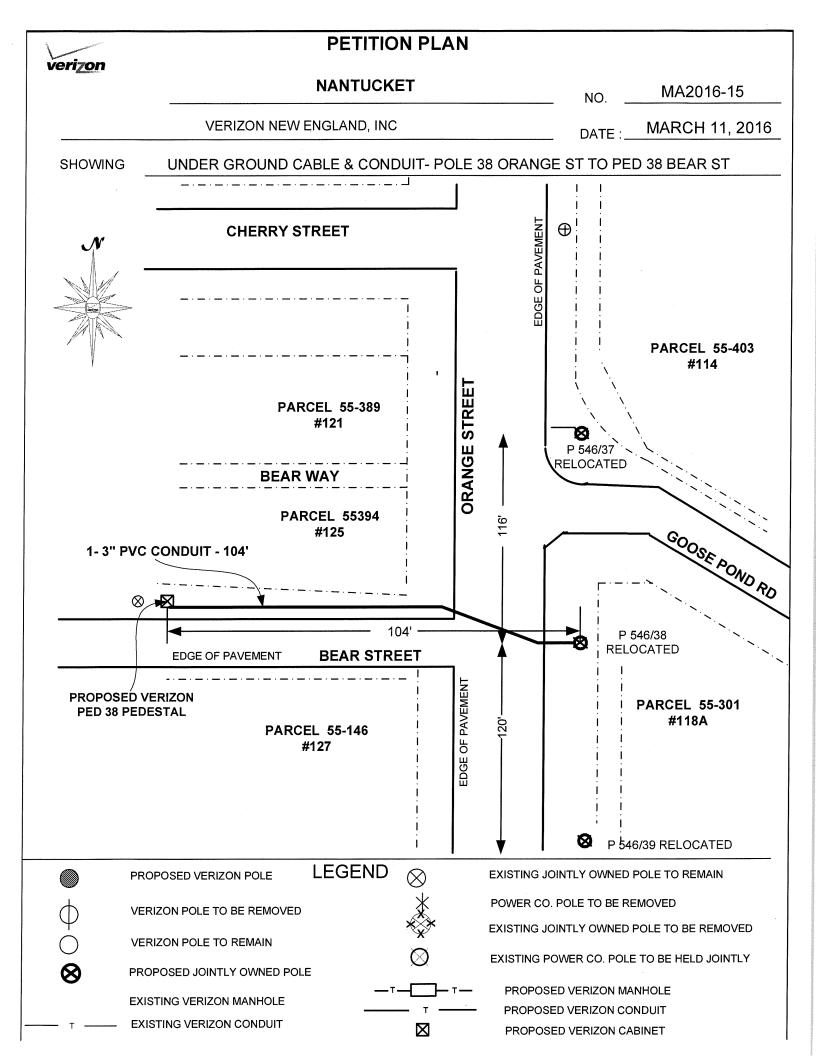
The foregoing permission is subject to the following conditions:

- 1. The conduits and manholes shall be of such material and construction and all work done in such manner as to be satisfactory to the Board of Selectmen or to such officers as it may appoint to the supervision of the work, and a plan showing the location of conduits constructed shall be filed with the Town when the work is completed.
- 2. In every underground main line conduit constructed by said Company hereunder one duct not less than three inches in diameter shall be reserved and maintained for the limited purpose of attaching one-way low voltage fire and police signaling wires owned by the municipality or governmental entity for public safety purposes only.
- 3. Said Company shall indemnify and save the Town harmless against all damages, costs and expense whatsoever to which the Town may be subjected in consequence of the acts or neglect of said Company, its agents or servants, or in any manner arising from the rights and privileges granted it by the Town.
- 4. In addition said Company shall, before a public way is disturbed for the laying of its wire or conduits, execute its bond in a penal sum of Five Thousand Dollars (\$5,000) (reference being had to the bond already on file with said Town) conditioned for the faithful performance of it duties under this permit.
- 5. Said Company shall comply with the requirements of existing by-laws and such as may hereafter be adopted governing the construction and maintenance of conduits and wires, so far as the same are not inconsistent with the laws of the Commonwealth.

I hereby certify that the foregoing order was of <b>NANTUCKET</b> , Massachusetts held on the	_	2016.
-	Clerk of Selectmen	

## ORDER FOR UNDERGROUND LOCATIONS

We hereby certify that on	
for permission to lay and maintain underground corcables to be placed therein, described in the order h before said hearing a written notice of the time and	ent for taxation) along the ways or parts of ways upon
Selectn	nen of the Town of NANTUCKET, Massachusetts
CERT	IFICATE
notice adopted by the Board of Selectmen of the To	d with the records of location orders of said Town, adde under the provisions of Chapter 166 General
	Attest:
	Town Clerk



#### UTILITY PETITIONS DEPARTMENTAL COMMENTS

APPLICANT:

Verizon: MA 2016-16

TYPE:

Placement of Underground Conduit

SITE ADDRESS:

Orange Street

**HEARING DATE:** 

May 18, 2016

#### **COMMENTS**

NPD:

The NPD does not have any concerns with this project as proposed. Police Details may

be required if any part of this project interferes with traffic.

-Chief Pittman

FIRE:

NFD has no comments or concerns.

-Chief Rhude

PLANNING:

No comments.

-Mike Burns

DPW:

Any conduit crossings on asphalt roads must be directionally drilled or if a trench needs to be excavated then it needs to be backfilled with flowable fill, left to sit and cure and then paved with asphalt flush to the road. Any grass areas must be loamed

and seeded to their existing condition or better.

-Silvio Genao

WW:

Wannacomet water has no objection to this petition.

-Bob Gardner

D. FREDERICKS: Attention should be paid to how the area is left give the high volume of

pedestrian activity in the area.

### PETITION FOR UNDERGROUND LOCATIONS

March 25, 2016

To the Board of Selectmen

in NANTUCKET, Massachusetts

VERIZON NEW ENGLAND INC. requests permission to lay and maintain underground conduits, with the wires and cables to be placed therein, under the surface of the following public way or ways:

This Petition proposes to place approximately 1-2" PVC CONDUIT 32 feet from relocated pole 546/37 Orange Street, Easterly along Goose Pond Road to a proposed 16" X 19" Hand Hole.

This work is being requested by the MassDOT for the expansion of the "ORANGE STREET & IN-TOWN MULTI-USE PATH"

Also for permission to lay and maintain underground conduits, hand holes, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as it may desire for distributing purposes.

Plan marked-VZ N.E. Inc. No. MA2016-16 dated MARCH 11, 2016 showing location of conduit to be constructed is filed herewith.

VERIZON NEW ENGLAND INC.

Jy\_\_\_\_

Dated this 25 day of MAR, 2016

#### ORDER FOR UNDERGROUND LOCATIONS

By the Board of Selectmen of the Town of NANTUCKET, Massachusetts.

That permission be and hereby is granted the VERIZON NEW ENGLAND INC. to lay and maintain underground conduits and manholes, with the wires and cables to be placed therein, under the surface of the following public way or ways as requested in petition of said Company dated the 25<sup>th</sup> day of MARCH, 2016.

This Petition proposes to place approximately 1-2" PVC CONDUIT 32 feet from relocated pole 546/37 Orange Street, Easterly along Goose Pond Road to a proposed 16" X 19" Hand Hole.

This work is being requested by the MassDOT for the expansion of the "ORANGE STREET & IN-TOWN MULTI-USE PATH"

Substantially as shown on plan marked-VZ N.E. Inc., No. MA 2016-16 dated 03/11/2016 filed with said petition.

Also that permission be and hereby is granted said VERIZON NEW ENGLAND INC. to lay and maintain underground conduits, manholes, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as it may desire for distributing purposes.

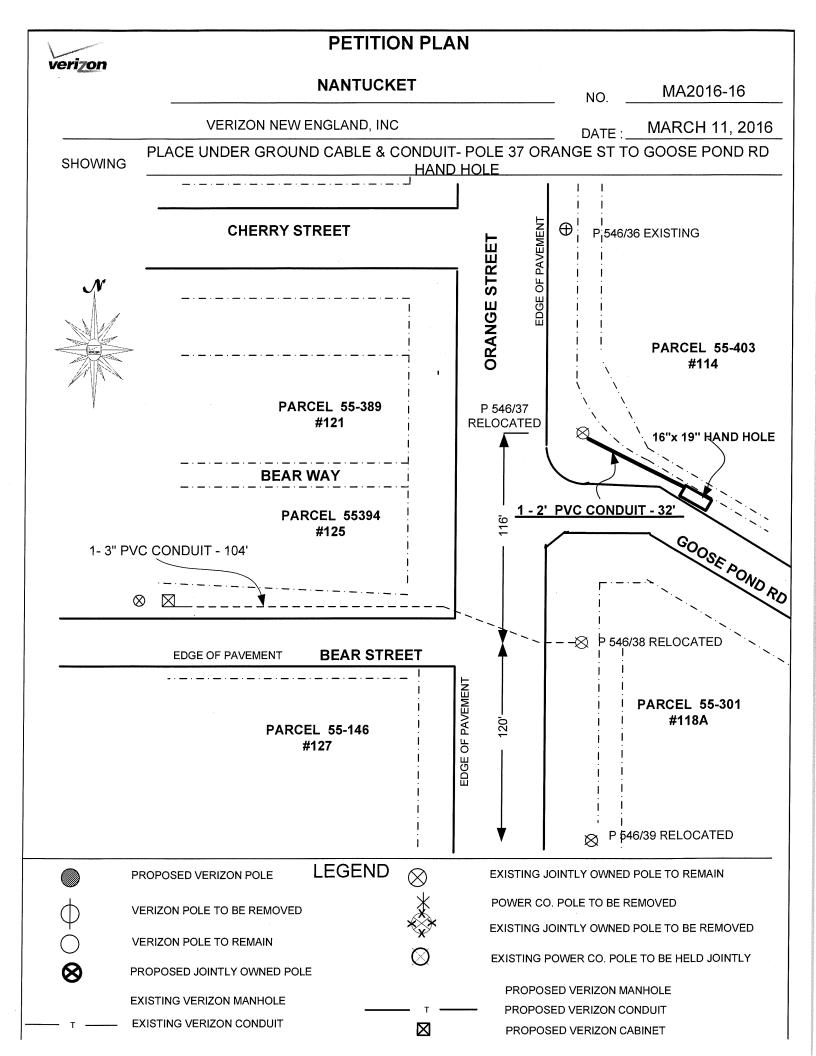
The foregoing permission is subject to the following conditions:

- 1. The conduits and manholes shall be of such material and construction and all work done in such manner as to be satisfactory to the Board of Selectmen or to such officers as it may appoint to the supervision of the work, and a plan showing the location of conduits constructed shall be filed with the Town when the work is completed.
- 2. In every underground main line conduit constructed by said Company hereunder one duct not less than three inches in diameter shall be reserved and maintained for the limited purpose of attaching one-way low voltage fire and police signaling wires owned by the municipality or governmental entity for public safety purposes only.
- 3. Said Company shall indemnify and save the Town harmless against all damages, costs and expense whatsoever to which the Town may be subjected in consequence of the acts or neglect of said Company, its agents or servants, or in any manner arising from the rights and privileges granted it by the Town.
- 4. In addition said Company shall, before a public way is disturbed for the laying of its wire or conduits, execute its bond in a penal sum of Five Thousand Dollars (\$5,000) (reference being had to the bond already on file with said Town) conditioned for the faithful performance of it duties under this permit.
- 5. Said Company shall comply with the requirements of existing by-laws and such as may hereafter be adopted governing the construction and maintenance of conduits and wires, so far as the same are not inconsistent with the laws of the Commonwealth.

I hereby certify that the foregoing order wa	s adopted at a meeting of the Se	electmen in the Town
of NANTUCKET, Massachusetts held on the	day of	2016.
·		
	Clerk of Selectmen	

## ORDER FOR UNDERGROUND LOCATIONS

We hereby certify that on	_ 2016, ato'clockm at
	n the petition of the VERIZON NEW ENGLAND INC.
for permission to lay and maintain underground co	nduits, manholes and connection, with the wires and
cables to be placed therein, described in the order h	nerewith recorded, and that we mail at least seven days
before said hearing a written notice of the time and	place of said hearing to each of the owners of real
estate (as determined by the last preceding assessm	ent for taxation) along the ways or parts of ways upon
which the Company is permitted to construct the li	nes of said Company under said order. And that
thereupon said order was duly adopted.	
	<u> </u>
Selecti	men of the Town of NANTUCKET, Massachusetts
CERT	TIFICATE
I hereby certify that the foregoing is a true	copy of location order, and certificate of hearing with
notice adopted by the Board of Selectmen of the To	· · · · · · · · · · · · · · · · · · ·
	d with the records of location orders of said Town,
Book Page This certified copy is n	nade under the provisions of Chapter 166 General
Laws and any additions thereto or amendments the	reof.
	Attest:
	ritest.
	Town Clerk



## Memo

To: Board of Selectmen

**From:** Amy Baxter, Business License Inspector

cc: Libby Gibson, Town Manager; William Pittman, Chief of Police

**Date:** May 11, 2016

Re: BOS Public Hearing 5-18-16: Rafael Osona, Auctioneer & Appraiser

Please find the attached documents for your review:

- 1. Junk, Old Metals and Second Hand Articles License Application Checklist.
- 2. License Application for Osona Auctioneer & Appraiser
- 3. Copy of Public Hearing Legal Notice for May 4 & May 12 Inquirer & Mirror.
- 4. References: MGL Chapter 140; Section 54; Town of Nantucket, Chapter 88.

#### Please note:

- 1. Fingerprint Results for Gail Osona were received and approved by NPD May 25, 2016.
- 2. All Fees have been paid.

## A Complete Junk/Old Metals/Second Hand Articles License Application must include the following:

- 1. A cover letter to the Board of Selectmen describing the request for a J/OM/SHA License.
- 2. The Town's completed J/OM/SHA License application form.
- 3. Signature of Zoning Enforcement Officer, Marcus Silverstein.
- 4. State and National Fingerprint base criminal history check conducted by NPD. Results must be received and approved prior to a BOS Public Hearing.
- 5. Legal Notice Advertised for two consecutive weeks immediately prior to BOS Public Hearing.
- 6. \$20.00 check payable to the *Town of Nantucket* (Application Fee).
- 7. \$25.00 check payable to the *Town of Nantucket* (License Fee).
- 8. \$266.90 check payable to *The Inquirer and Mirror* (for 2 Week Required Legal Notice advertisement).

P.O. Box 2607 Nantucket, MA 02584 Tele. 508-228-3942 Fax 508-228-8778

## RAFAEL E. OSONA Auctioneer & Appraiser

Email: info@RafaelOsonaAuctions.com www.RafaelOsonaAuctions.com

### Antique & Fine Art Auctions & Estate Sales 1980

November 30, 2015

Re: Application for a License to be a Dealer in or Keeper of a Shop for the Purchase, Sale or Barter in Junk, Old Metals and Second Hand Articles.

Rafael Osona conducts auctions and sales at the American Legion Hall, 21 Washington Street, Nantucket, MA and sales and storage at 44 Nobadeer Farm Road, Nantucket, MA. We are bonded and hold Local and State Auctioneer's Licenses since 1980.

With all due respect, we are complying with the Nantucket Police Department's request to apply for a License to be a Dealer in or Keeper of a Shop for the Purchase, Sale or Barter in Junk, Old Metals and Second Hand Articles, despite the fact we DO NOT purchase the above said goods locally from the Nantucket General Public.

Since we have been requested to acquire this license, we ask not to be singled out, and request that other Nantucket Antique Shops, Consignment Stores, Art Galleries, Jewelry Stores located in Nantucket be asked to do the same. A general peruse of the Nantucket Phone Book provides a number of business that may fall into this category:

ANTIQUE DEALERS: To Name a Few: Antiques Depot, Atlas Antiquities, Coastal Vintage Home & Garden, Decorative & Fine Art Show – Nantucket, East End Gallery, Forager House Collection, Four Winds Craft Guild, Island Antiques & Island Auction House, Janis Aldridge, The John Rugge Antiques Shop, The Lockhart Collection, Lynda Willauer Antiques, Nantucket Country, Nantucket Estates Sales, Nantucket Gold & Antiques, Sylvia Antiques, Tonkin of Nantucket, Michael Vienneau Gallery, MV Auctions.

ART GALLERIES: To Name a Few: Art Cabinet Nantucket, Artists Association of Nantucket Gallery, Cavalier Galleries, Cromartie Studio & Gallery, Dane Gallery, David Lazarus Studio-Gallery, East End Gallery, Faith Cooper Studio, Forager House Collection, G.S. Hill Gallery, The Gallery at Four India Street, Gallery Blue, Graficas Gallery, Hostetler Gallery, Ireland Galleries, Island Art & Design, Janis Aldridge, Nantucket Art Works, Nantucket Carving & Folk Art, Old Spouter Gallery, Pierce Galleries, Quidley & Company, The Scrimshander Gallery, South Wharf Gallery Studio, Thomas Henry Gallery, Vanderbilt Gallery, William Welch Studio Gallery

JEWELRY STORES: To Name a Few: Addison Craig, Barbara Harris Water Jewels, Blesk Jewelry, Current Vintage, Emily Brooke Rubin Jewelry, Jewel of the Isle, Lockhart Collection, Made on Nantucket, The Michael Kane Collection, Nantucket Diamond, Nantucket Gold & Antiques, Nantucket Looms, Nantucket Pearl Company, Pageo, Patina, Seaman Schepps / Trianon, Susan Lister Locke Jeweler, The Trinity Collection, Victoria Greenhood Design

All NANTUCKET LIGHTSHIP BASKET SHOPS

Thank you for your attention.

Rafael E Osona Gail E Osona

## ANTUCIE SO POTRATE D'

## The Commonwealth of Massachusetts Town of Nantucket

## APPLICATION FOR A LICENSE TO BE A DEALER IN OR KEEPER OF A SHOP FOR THE PURCHASE, SALE OR BARTER IN

## JUNK, OLD METALS AND SECOND HAND ARTICLES

00000000000

I, the undersigned, hereby apply for a Junk Dealer's License, to be a dealer in or keeper of a shop for the purchase, sale or barter in accordance with the provisions of Chapter 140 of the General Laws.

0000000000

Please complete the followi	ng:-		40 4
NAME:	Gail Usom		
ADDRESS:	P.O. Box 2607	Mantucket, MA	02584
BUSINESS NAME:	OSONA AUCTIO	M2	alaraha 4
BUSINESS ADDRESS:	44 Mohadeer Ta	rm Rd = 21 Wa	isning for a
required by law (MGL c.1 Town Clerk. The DBA mu	10, s.5) to file a Doing Busi ast be filed before the issuance	nder anything other than your ness as Certificate (DBA) wi e of the Junk Dealer's License	e and remain current.
Give a complete description	n of the premises to be used f	or the purpose of carrying on	the business.
Please See Attached			
Approved: Zoning Enforc	ement Officer	Date	
Approved: Board of Selec	tmen	Date	
Approved: Town Clerk		Date	

## **PUBLIC HEARING**

Please be advised that a Public Hearing will be held on Wednesday, May 18, 2016 at 6:00PM to hear an application for a New Junk, Old Metals and Second Hand Articles license for Gail Osona, joint owner of Rafael Osona, Auctioneer & Appraiser for the premises located at 21 Washington Street and 44 Nobadeer Farm Road, Nantucket MA 02554. The hearing will take place at the Public Safety Fairgrounds Road, 1st Floor Community Room, Nantucket MA 02554.

E11

**BOARD OF SELECTMEN** 

PART I ADMINISTRATION OF THE GOVERNMENT

TITLE XX PUBLIC SAFETY AND GOOD ORDER

CHAPTER 140 LICENSES

Section 54 Junk dealers

Section 54. Cities and towns by ordinance or by-law may provide for the licensing, by the police commissioner in Boston, by the license commission in Lowell, by the aldermen in other cities and by the selectmen in towns, of suitable persons to be collectors of, dealers in or keepers of shops for the purchase, sale or barter of junk, old metals or second hand articles, may make rules and regulations relative to their business, and may provide for the supervision thereof. Said licensing board or officer may, except as otherwise provided in such ordinance or by-law, make additional rules, regulations and restrictions which shall be expressed in all licenses. Said licenses may be revoked at pleasure, and shall be subject to sections two hundred and two to two hundred and five, inclusive, except that societies, associations or corporations organized solely for religious or charitable purposes and their agents shall not be required to pay a fee for such licenses.

Section 55 Junk dealers; penalty; exceptions

Section 55. Whoever acts as a collector of, dealer in or keeper of a shop for the purchase, sale or barter of junk, old metals or second hand articles without a license, or in any other place or manner than that designated in his license or after notice to him that his license has been revoked, or violates any such rule, regulation or restriction, shall forfeit twenty dollars. The purchase, sale or barter of books, prints, coins or postage stamps shall not be deemed to be the purchase, sale or barter of second hand articles within the meaning of this and the preceding section.

Section 202 Signature on, record, contents and term of licenses; fees

Section 202. Licenses granted elsewhere than in Boston to dealers in junk, old metals and second hand articles, junk collectors, pawnbrokers and keepers of billiard saloons, pool or sippio rooms or tables, bowling alleys, roller skating rinks, carousels, inclined railways, Ferris wheels, outdoor exhibitions of fire fighting for the amusement of the public and picnic groves shall be signed by the clerk of the city or town where they are granted. Every such license shall, before being delivered to the licensee, be recorded by such clerk, in a book kept for that purpose. Such license shall set forth the name of the licensee, the nature of the business, and the building or place in such city or town in which it is to be carried on, and shall continue in force until May first following unless sooner revoked. The board or officer issuing such a license shall, except as provided in section seventy-seven, receive for the use of the city or town such amount, not less than two dollars for each license, as the board or officer considers reasonable. In Boston licenses for billiard saloons, pool or sippio rooms or tables, bowling alleys and picnic groves shall be signed by the licensing board and recorded by its clerk and licenses for roller skating rinks, carousels, inclined railways, Ferris wheels and outdoor exhibitions of fire fighting for the amusement of the public shall be signed by the mayor and recorded by his clerk, the other licenses referred to in this section shall be signed by the police commissioner and recorded by his clerk.

Section 203 Effective date of license

Section 203. Such licenses may be granted in April, to take effect on May first following.

Section 204 Coverage of license

Section 204. A license issued as aforesaid shall not protect the holder thereof in a building or place other than that designated in the license unless consent to removal is granted by the licensing board or officer.

Section 205 Revocation of license; record; notice

Section 205. Upon the revocation of such a license, such clerk shall note the revocation upon the face of the record thereof, and shall give written notice to the licensee by delivering it to him in person or by leaving it at the place of business designated in the license.

## Chapter 88. Junk, Metals and Secondhand Merchandise, Sale of

[HISTORY: Adopted by the 1984 Town Meeting of the Town of Nantucket. Amendments noted where applicable.]

#### **GENERAL REFERENCES**

Display of merchandise and wares — See Ch. **97**. Streets and sidewalks — See Ch. **127**, Art. **II**.

## § 88-1. Granting of licenses.

The Selectmen may, in their discretion, grant licenses to suitable persons to be dealers in and keepers of shops for the purchase, sale or barter of junk, metals or secondhand materials within this Town.

## § 88-2. Record book to be kept.

Every person so licensed shall keep a book, in which shall be written, at the time of every purchase of any such articles, a description of the article or articles purchased, the name and residence of the person from whom and the day when such purchase was made; and such book shall at all times be open to the inspection of the Selectmen and to any person by them authorized to make such inspection.

## § 88-3. Sign to be posted; examination of premises.

Every person so licensed shall put in some suitable and conspicuous place in his shop a sign, having his name and occupation legibly inscribed thereon in large letters; and such shops, and all articles of merchandise therein, may be examined by the Selectmen or by any person by them authorized to make such examination, at all times.

## § 88-4. Dealings with minors or apprentices.

No keeper of such shop so licensed shall, directly or indirectly, either purchase or receive by way of barter or exchange any of the articles mentioned in § 88-1 from any minor or apprentice, knowing or having reason to believe him to be such.

## § 88-5. Retention of articles prior to sale.

No article purchased or received by any person licensed aforesaid shall be sold until a period of at least one week from the date of its purchase or receipt shall have elapsed.

## Memo

To: Board of Selectmen

**From:** Amy Baxter, Business License Inspector

cc: Libby Gibson, Town Manager; William Pittman, Chief of Police

**Date:** May 11, 2016

**Re:** BOS Public Hearing 5-18-16: Enjoy Kitchen, Mobile Food Unit License

Please find the attached documents for your review:

- 1. Food Permit Application for Enjoy Kitchen, Mobile Food Unit.
- 2. Legal Notice for Inquirer Mirror, May 5 & May 12

#### Please note:

- 1. Fingerprint Results were received and approved 5/5/16.
- 2. The current application for Enjoy Kitchen is for private catering only. An additional application will be needed to use the truck on public property or for serving the public.
- 3. A final Health Inspection is required before a License is issued.

Island Kitchen Mobile

EOR BOARD OF HEALTH USE ONLY

Date Received Date inspected Approved BY Permit # Issued

32/15

్రంశ్ 333 ఈ లె Food Establishment Permit Application

Food Establishment Permit Application
(Application must be submitted at least 30 days before the planned opening date)

	I SLAND KITCHW
1) Establishment Name:	Ridge LIC DBA ENJOY Kitchen
2) Establishment Address:	1 Chws WAY NAMFUCKET MA 02554
3) Establishment Malling Ac	
4) Establishment Telephone	· · · · · · · · · · · · · · · · · · ·
5) Applicant Name & Title:	Ches /OLANER
6) Applicant Address; 3	
7) Applicant Telephone No:	508 333 5600 24 Hour Emergency No: 508 333 5600
8) Owner Name & Title (if dif	ferent from applicant):
9) Owner Address (if differen	nt from applicant):
10) Establishment Owned By:  An association A corporation An individual A partnership Other legal entity  LLC	11) If a corporation or partnership, give name, title, and home address of officers or partner.  Name Title Home Address  Parnuck Ripse Ben Goldbirs
	ble For Daily Operations (Owner, Person in Charge, Supervisor, Manager etc.)
Name & Title:	PAtrick Ridge
Address:	Same as Alove
Telephone No:	Fax:
Emergency Telephone No:	
13) District Or Regional Super	visor (if applicable)
Name & Title:	
Address:	
Telephone No:	Fax:

	Food Establishment Inform	nation
14) Water Source: ISLAND	KITCHON	15) Sewage disposal:
DEP Public Water Supply No: ( if applicable)		@ WAter company
16) Days and Hours of Operatio	m: TDB Catering	17) No. of Food Employees: 2
	Certified in Food Protection Management: lence with 105 CMR 590.003(A) Phase alloth copy of codificals.	PATRICK Ridge
19) Person Trained in Anti-Chok	king Procedures (if 25 seats or more): □ Yes	
20) Location: (check one)  Dermanent Structure  CL Mobile	22) Establishment Type(check all that apply)  C Retail ( Sq. Ft)  C Food Service – ( Seats)  C Food Service – Takeout  C Food Service – Institution  ( Meals/Day)	Calerer Food Delivery Residential Kitchen for Retall Sale Residential Kitchen for Bed and Breakfast Home Residential Kitchen for Bed and Breakfast Establishments Frozen Dessert Manufacturer
21) Length Of Permit: (check one)	Other (Describe)	•
Annual Seasonal/Dates:		
☐ Temporary/Dates/Time:		
23) Food Operations: Defini (check all that apply):	Non-PHFs - non-potentially hazardous fo RTE - ready-to-eat foods (Ex. sandwiches,	od (no time/temperature controls required) , salads, muffins which need no further processing)
Sale of Commercially Pre- Packaged Non-PHFs	PHF Cooked To Order	Hot PHF Cooked and Cooled or Hot Held for More Than a Single Meal Service.
Sale of Commercially Pre- Packaged PHFs	Preparation Of PHFs For Hot And Cold Holding For Single Meal Service.	PHF and RTE Foods Prepared For Highly     Susceptible Population Facility
及 Delivery of Packaged PHFs	Sale Of Raw Animal Foods Intended to be Prepared by Consumer.	□ Vacuum Packaging/Cook Chill
Reheating of Commercially Processed Foods For Service Within 4 Hours.	C Customer Self-Service	Use Of Process Requiring A Variance And/Or HACCP Plan (including bare hand contact alternative, time as a public health control)
<ul> <li>Customer Self-Service Of Non- PHF and Non-Perishable Foods Only.</li> </ul>	1	Offers Raw Or Undercooked Food Of Animal Origin.
Preparation Of Non-PHFs	Juice Manufactured and Packaged     for Retail Sale	Prepares Food/Single Meals for Catered Events or Institutional Food Service
Other (Describe):	Offers RTE PHF in Bulk Quantities	To be completed by the Board of Health
	Retail Sale of Salvage, Out-of Date     or Reconditioned Food	Total Permit Fee: Payment is due with application
establishment operation will com	ccuracy of the Information provided in this ap ply with 105 CMR 590.000 and all other applic of 105 CMR 590.000 and the federal Food Cor	able law. I have been instructed by the board 🦠
24) Signature of Applicant:	Pahrch Bidge	The state of the s
	. 49A, I certify under the penalties of perjuand paid state taxes required under law.	ury that I, to my best knowledge and belief,
25) Social Security Number or	Federal ID: 46-21507	65

26) Signature of Individual or Corporate Name: Fun J. P.

## **TOWN OF NANTUCET**

## 2016 COMMON VICTUALLER (CV)

## NEW OR TRANSFERRED LICENSE APPLICATION

Business Name of Applicant: Tuscany Enterprises, Inc.
D/B/A: AXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
Business Owner's Name: AJ Black Cell: 212-729-1029
Business Manager's Name: Dylan Ray Barker Cell: 239-810-3855
Business Street Address: 41 Main Street, Nantucket, MA
Business Mailing Address: 43 Route 6A Yarmouth Port, MA 02675
Business Telephone: 508 228-7001
Email Address: (Please use an email address that will be monitored <u>year-round</u> by Owner or Manager):chefaj@me.com
Federal Tax I.D. # of Business: 81-2035356
Opening Date: 5/15/16 Days/Hours of Operation: 8:00 am to 1:00 am
Type of Business: Restaurant and Bar
Signature of Applicant: Och Date: 3/31/16
Check Payable to Town of Nantucket: \$20.00 Application Fee: Ck #: 18956
Check Payable to Town of Nantucket: \$50.00 Yearly Licenses Fee: Ck #: 18957
Check Payable to Inquirer and Mirror: \$266.90 Legal Notice Fee: Ck #: 18958
Note: Nantucket Town Bylaw requires holders of certain categories of licenses and permits to be current on payment of various municipal charges. If a license or permit applicant has neglected to pay any "local taxes, fees, assessments, betterments or other municipal charges", such licenses or permits are subject to non-renewal or revocation by the Board of Selectmen. Please contact the Tax Collector office (508-228-7200 x7047 or x7048) to letermine your current payment status before picking up your new/transferred CV license.
Approved: Approved: Date:



## CV LICENSE -SECTION II

THIS DEPARTMENTAL PRE-APPROVAL FORM TO BE COMPLETED FOR NEW AND TRANSFERRING COMMON VICTUALLER LICENSES PRIOR TO THE BOARD OF SELECTMEN'S PUBLIC HEARING ON THE CV APPLICATION. IN ADDITION, A FINAL INSPECTION FROM MUST BE SIGNED BY BUILDING AND HEALTH DEPARTMENTS BEFORE THE NEW OR TRANSFERRED LICENSE CAN BE RELEASED BY THE LICENSING OFFICE AT NANTUCKET POLICE DEPARTMENT, A FAIRGROUNDS ROAD, NANTUCKET MA 02554.

BUSINESS NAME OF APPLICANT: Tuscany Enterprises,	Inc.
d/b/a (Doing Business As);ARNO'S	
STREET ADDRESS OF BUSINESS: 41 Main Street, Nantuc	ket, MA
email address of Business:	TELEPHONE: 212-729-1029
BUSINESS MANAGER'S NAME: Dylan Ray Berker	
HEALTH DEPARTMENT: 3 Chestnut St. / Approved	4
COMMENTS: Wattry plan Perview " SIGNATURE: Q. B. Prandopate:	4/15/16
COMMENTS: COT E+pines, 4/30/16	Not Approved
SIGNATURE: DATE:	
ZONING ENFORCEMENT OFFICER: 2 Fairgrounds Rd App	roved Not Approved
SIGNATURE: STATE: 4	30/16
COMMENTS: Approved	Not Approved
IGNATURE: July Mungo DATE: 41	25/16

## The General Laws of Massachusetts

Search the Laws

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## PART I. ADMINISTRATION OF THE GOVERNMENT TITLE XX. PUBLIC SAFETY AND GOOD ORDER

#### **CHAPTER 140. LICENSES**

THEATRICAL EXHIBITIONS, PUBLIC AMUSEMENTS, ETC.

Chapter 140: Section 181. Theatrical exhibitions, etc.; licenses; fees; applications; suspension or revocation; workers' compensation coverage

Section 181. The mayor or selectmen may, except as provided in section one hundred and five of chapter one hundred and forty-nine, grant and set the fee for, upon such terms and conditions as are described hereinafter, a license for theatrical exhibitions, public shows, public amusements and exhibitions of every description, to be held upon weekdays only, to which admission is obtained upon payment of money or upon the delivery of any valuable thing, or in which, after free admission, amusement is furnished upon a deposit of money in a coin controlled apparatus, but in no event shall any such fee be greater than one hundred dollars. Notwithstanding the limitations of this paragraph, a license granted to a movie theater, including any drive-in theater, for the exhibition of motion pictures shall permit such exhibition seven days per week. The fee for such license shall not exceed the total amounts paid by a licensee for licenses issued in 1997 under this section and section 4 of chapter 136 then in effect; provided, however, that the fee for such license shall not be greater than \$500.

The application for such a license shall be in writing and shall fully and specifically describe the conditions of the proposed exhibition, show, or amusement and the premises upon which the proposed exhibition, show, or amusement is to take place, to the extent that such conditions or premises would affect the public safety, health or order. Upon written request of the mayor or selectmen, the applicant shall in addition furnish reasonable information concerning the conditions of the premises and actions to be taken in order to prevent danger to the public safety, health, or order. Within thirty days following receipt of such application, the mayor or selectmen shall grant a license or shall order a hearing preceded by at least ten days written notice to the applicant. Within forty-five days next following the close of such hearing, the mayor or selectmen shall grant such license or shall deny such license upon a finding that issuance of such a license would lead to the creation of a nuisance or would endanger the public health, safety or order by:

- (a) unreasonably increasing pedestrian traffic in the area in which the premises are located or
- (b) increasing the incidence of disruptive conduct in the area in which the premises are located or
- (c) unreasonably increasing the level of noise in the area in which the premises are located.

Notice of such a denial shall be delivered to the applicant in writing and shall be accompanied by a statement of the reasons therefor. No application shall be denied if the anticipated harm is not significant or if the likelihood of its occurrence is remote. The mayor or selectmen may impose conditions upon a license but said conditions may only relate to compliance with applicable laws or ordinances, or to public safety, health or order, or to steps required to be taken to guard against creation of a nuisance or

lenying hust us ruis ruis to insure adequate safety and security for patrons or the affected public.

No applicant having been denied a license as aforesaid shall submit the same or a similar application within one year of said denial without including in said new application facts showing that the circumstances upon which the original denial was based have substantially changed.

The mayor or selectman may revoke or suspend a license granted pursuant to the provisions of this section upon finding, after a hearing preceded by ten days written notice to the licensee, that conditions exist which would have justified denial of the original application for such license provided, that the mayor or selectmen may petition the superior court department of the trial court to enjoin any violation of this section.

No license shall issue, however, for a traveling carnival, circus or other such traveling amusement which does not have its principal place of business within the commonwealth unless the licensee certifies that he has provided by insurance for the payment of compensation and the furnishing of other benefits under chapter one hundred and fifty-two to all persons to be employed by said licensee and that such insurance shall continue in full force and effect during the term of the license; and the licensee further certifies that he has obtained a policy of public liability insurance in the amount of at least twenty-five thousand dollars to pay any claims or judgments rendered against the licensee in favor of patrons or others to recover damages resulting from the negligence of the licensee. The amount of insurance of the policy hereinbefore required or in effect shall not limit or impair any right of recovery to which any plaintiff may be entitled in excess of such amount.

## Memo

To: Board of Selectmen

From: Amy Baxter, Business License Inspector

cc: Libby Gibson, Town Manager; William Pittman, Chief of Police

**Date:** May 11, 2016

Re: BOS Public Hearing 5-18-16: Arno's, 41 Main Street Entertainment License

Please find the attached documents for your review:

- 1. Entertainment Application Checklist
- 2. Cover Letter
- 3. Entertainment License Application for Arno's, 41 Main Street
- 4. Department Comments from Police; Fire; Building; Zoning
- 5. Legal Notice for Inquirer Mirror, May 5 & May 12
- 6. 2015 Arno's Entertainment License

#### Please note:

1. All Fees have been paid.



## **ENTERTAINMENT APPLICATION CHECKLIST**

### A Complete Entertainment Application must include the following:

- 1. A cover letter to the Board of Selectmen describing the request for an Entertainment License
- 2. The Town's completed Entertainment License application form (4 pages)
- 3. Comments on Application from Police; Fire; Building; Planning; Zoning Board; Tax Collector. A final approved COI must be obtained before a final License is issued.
- 4. Legal Notice Advertised: May 5 & May 12
- 5. Abutter Notification with copy of Legal Notice. Abutter List from Assessor's Office.
- 6. The Abutter Notice Return Receipt Card
- 7. \$20.00 check payable to the *Town of* Nantucket (Application Fee)
- 8. \$100 check payable to the *Town of Nantucket* (License Fee)
- 9. \$266.90 check payable to *The Inquirer and Mirror* (for 2 Week Required Legal Notice advertisement)
- 10. Current/Previous Entertainment License for Premises if applicable

## READE, GULLICKSEN, HANLEY & GIFFORD, LLP

SIX YOUNG'S WAY

NANTUCKET, MASSACHUSETTS 02554 (508) 228-3128

ARTHUR I. READE, JR., P.C. KENNETH A. GULLICKSEN MARIANNE HANLEY WHITNEY A. GIFFORD

FAX: (508) 228-5630 MAILING ADDRESS POST OFFICE BOX 2669 NANTUCKET, MASS. 02584

April 22, 2016

#### BY HAND

James Kelly, Chairman, Nantucket Board of Selectmen c/o Ms Anne McAndrew Office Administrator/Licensing Agent 4 Fairgrounds Road Nantucket, MA 02554

> Re: CV and Entertainment license applications ARNO'S, 41 Main Street

Dear Mr. Kelly:

Enclosed please find the following documents:

- 2016 Local Entertainment License Application
- Check for \$100 to Town of Nantucket
- 2016 Common Victualler License Application
- Check for \$20 to Town of Nantucket
- Check for \$50 to Town of Nantucket
- Check for \$266.90 to Inquirer and Mirror

The applications are by the new tenant, Tuscany Enterprises, Inc., which will be operating under the dba ARNO'S at 41 Main Street, the current location of ARNO'S. The restaurant will be operate as an Italian bistro. Entertainment is proposed to be primarily background music and TVs with occasional live instrumental music.

Please let me know if you need anything further. Thank you in advance for your attention to this matter.

Very truly yours,

Kenneth A. Gullicksen

KAG/tlf Enclosures

cc: Paul R. Tardif, Attorney

Joseph V. Arno

## TOWN AND COUNTY OF NANTUCKET **NEW ENTERTAINMENT LICENSE APPLICATION**

APPLICATION FOR LIVE AND NON-LIVE ENTERTAINMENT LICENSE
Please complète this application, sign, date and return with all requested documents to
LICENSING OFFICE, A FAIRGROUNDS ROAD, NANTUCKET MA 02554
Office hours: Monday-Friday 8:00AM - 4:00PM 508-325-4137

## annoandrey@police.папtucket-ma.gov

2. Telephone number for business establishment: 508-228-7001	
Please check below: Categories of Entertainment for which you are applying:	
3. Instrumental Music $X$ Types of Instruments: Strings, keyboard, wind, per Total Number of Instruments? 4	
1. Vocal Music x Number of Vocalists? 3	
5. Diso Jockey Karaoke 6. Dancing by Patrons Describe Size/Locatio	n of
Dance Floor on premises:	
Hours of Dancing by Patrons:	<u>-</u>
. Exhibition or Trade Show Describe	······································
Movie Theatre Number of Screens?	
Stage Plays Number of Stages?	<del></del>
). Radlo X DMX CD Player X I-Pod X Olher	<del></del>
. Number of Wikiescreen TV's and Localions ? up to 4	
. Floor Shov/s Describe Type/Hours (I.e.Comedian, etc.)	

14. If athletic event(s) are to be held, please describe
If YES, describe types of Entertainment and \$ Amount of Cover Charge:
16. Hours during which Entertainment will be offered (A.M. and P.M.)?
Monday From 8:00 am To 1:00 am
Tuesday From To
Wednesday From To To To
Friday From To
Saturday From To To Sunday From To
liquor and Common Victualler  LICENSE MANAGER OF RECORD
1. Proposed Manager of Record Dylan Ray Barker Emall:
2. Home Address 43 Route 6A Yarmouth Port, MA 02675
3. Telephone/Cell Phone 239-810-3855 / SSN
4. Date of Birth Place of Birth
5. Mother's Malden Name,
WITHIN THE PAST SEVEN (7) YEARS, HAS THE PROPOSED MANAGER BEEN CONVICTED OF A FELONY OR A VIOLATION OF A STATE OR FEDERAL NARCOTICS LAW?
Yes: (Please explain)
No: X

## OPERATIONS

1) Froposed departly of premises; 130 seacs
2) Number of Restrooms 3 Number of Egresses 3
3) Days/Hours of Operation-for Liquor License? 7 days
4) Days/Hours of Operation for CV License? 8:00 am to 1:00 am
5) a. Number of employees on premises during yeak hours?15
b. Number of employees on premises at any given time? 15
c. Number of Managers or designated person in charge at any given time?
BUSINESS ORGANIZATION
Please check the applicable section:
1. The business for which this application is being filed is at Sole Proprietorship (Please state owner's name)
DBA Partner names)
DBA
X Corporation, LLC (If the applicant is a corporation, give the name and home address of each Officer, Director and Shareholder and the % of stock hald by each person) see attached
DBA_ ARNO'S
2, Employer EIN/FID: 81-2035356
3. If new ownership, please indicate previous dible, owner and date you assumed ownership
4. Was there an approved transfer of an Alcoholic Beverages or CV license within the past 12 months?  Y X N If YES, when?
5. Do you have any financial or corporate relationship with the prior owner? Select 100 If YES, please describe;
6. Does any person who holds direct or indirect interest in this premises hold direct or indirect interest in any other premises which has an Entertainment license in the Town of Nantucket? Select If YES, please describe: JOseph Arno, Trustee owns the liquor license for Arno's at this point. New Liquor License is pending for this applicant.

- 7. Has any person who holds direct or indirect interest in the premises ever been denied an Entertainment license or had an Entertainment license suspended, revoked, or voluntarily surrendered an Entertainment license in any jurisdiction? Select If YES, please attach an explanation on a separate page with dates and the name of the person with the aforementioned interest.
- 8. Has the applicant, or officer of the applicant: (If YES, please attach an explanation.

a. Been convicted of a felony in the past seven (7) years? Select No.

b. Held any Interest in an Alcoholic Beverage or CV license which has been suspended or revoked or voluntarily surrendered? Select No

c. Have any knowledge of illegal activity by its principals which may effect this license or the licensed premises?

Select No

### STATEMENT OF APPLICANT

Under the pains and penalties of perjury, I affirm that the preceding answers are true to the best of my knowledge and belief, and that there are no other indirect interests in this license other than those indicated in this application.
Signature of Applicant: 12. Black Date: 03-30-16
Print Applicant's Full Name: A J Black
Applicant's Relationship to Business Ently: President of Tuscany Enterprises, Inc
TOWN OF NANTUCKET BOARD OF SELECTMEN
Approved: YES NO Date:
Town Manager Signature;
licensing Board Conditions/Restrictions/Comments:
t .

## ADDENDUM TO NANTUCKET NEW ENTERTAINMENT LICENSE APPLICATION Re: Business Organization

## Tuscany Enterprises, Inc.

AJ Black

Pres, Treas, Clerk, and Director

100% of shares

43 Route 6A

Yarmouth Port, MA 02675

Dylan Ray Barker 43 Route 6A

Director

0% of shares

Yarmouth Port, MA 02675



## ENTERTAINMENT APPLICATION COMMENTS

Applicant: Arno's

Location of Premises: 41 Main Street

BOS Review Date: May 18, 2016

## **Police Department:**

The NPD does not have any issues with this application.

Chief William Pittman

## Fire Department:

The Fire Department is requesting that this entertainment license be denied at this time.

Because of the occupancy listed on the application (page 4 – 156 patrons) there is a concern that coincides with the hours of operation (8am to 1am) and the fact that this building does not have a sprinkler system (never been used for late night / night club type of use before this application always a restaurant) and to the best of my knowledge does not have the required modifications to the fire alarm system (audio shut down and lights on) required if it even has a fire alarm system. The application also indicates "amplified music" (page 2 line 13) which is also indicative of being operated as a "night club" type of operation under Massachusetts law (780 CMR State Building Code - NIGHT CLUB. An occupancy generally characterized by a combination of any of the following: no theatrical stage accessories other than raised platform; low lighting levels; entertainment by a live band or recorded music generating above-normal sound levels; later-than average operating hours; tables and seating arranged or positioned so as to create ill defined aisles; a specific area designated for dancing; service facilities for alcoholic beverages with limited food service; and high occupant load density.)

Also under Massachusetts General Law Chapter 148 Section 26G ½ Nightclubs, dance halls, discotheques, bars; adequate system of automatic sprinklers with these changes to the entertainment license / issuance of the entertainment license there are concerns as to the legality of issuing an entertainment license as requested. After discussion with the State Fire Marshal's office and with the Nantucket Building Commissioner until such time as this building meets the requirements of the above listed state laws we should withhold the entertainment license. Total occupancy for this premises (including staff) is 156 not 156 patrons plus 15 staff (per building department) so the numbers listed on application are incorrect.

**Robert Bates** 

Fire Alarm Superintendent



## **ENTERTAINMENT APPLICATION COMMENTS**

Applicant: Arno's

Location of Premises: 41 Main Street

BOS Review Date: May 18, 2016

### **Building Department:**

My concerns are as follows, I do not have an updated floor plan which will have the employee patron break down so currently the total occupancy is 78 per floor. The existing exit situation has been in existence prior to the adoption of the code and while safe for the present use is not ideal. The first floor entrance/egress is the Main St. door and the second exit is though the kitchen, down a short flight of stairs and out into Independence Lane. Exiting though a kitchen has been found to be a hazard and is no longer permitted in new construction. One second floor egress is an open stair way within the restaurant that empties into the first floor dining area then out either of the afore mentioned exists. An unenclosed exit stair for that number of occupants is not permitted in new construction. The other exit into a common stairway and down a wide but extremely steep flight of stairs discharging out to Main St. would not be permitted in new construction.

My issue is if the entertainment changes the character of the use from a restaurant to a bar/night club (the fire department has the sole authority to designate a nightclub) that increases the hazards to the occupants and then the safety of the egress have to be reevaluated. If the proposed entertainment does not change the nature of the restaurant then I have no objection.

Stephen Butler

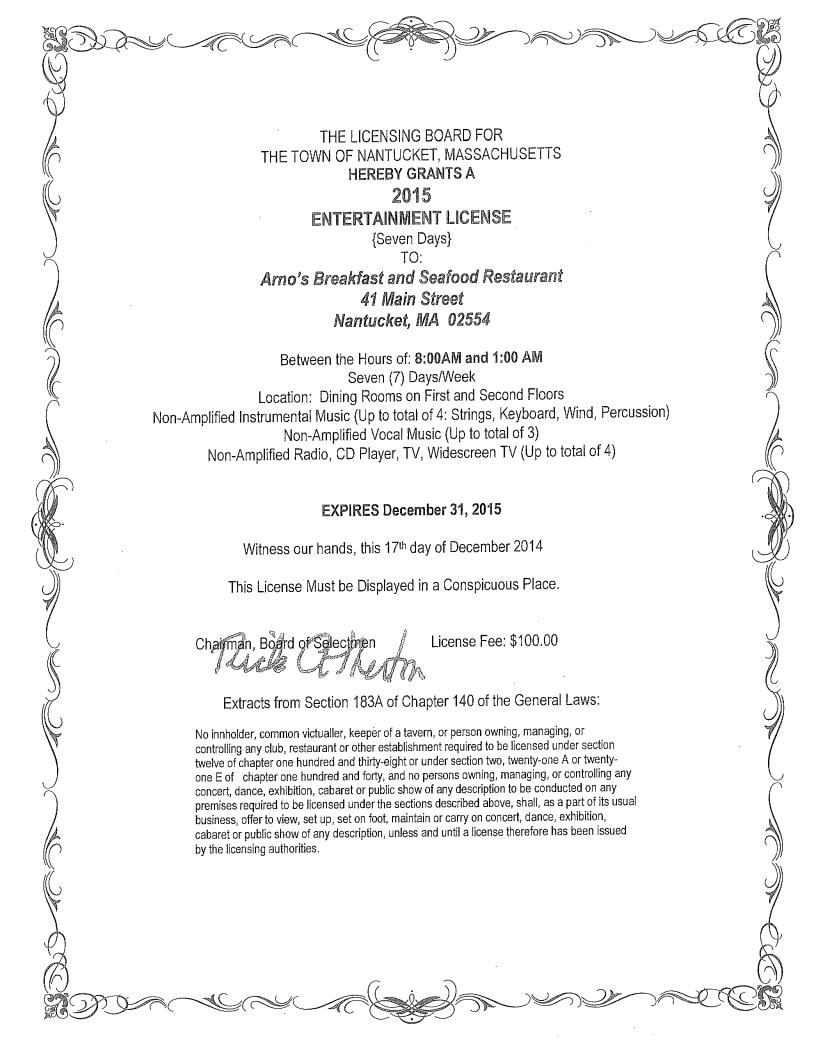
**Building Commissioner** 

## Zoning:

This matter is not of zoning concern and as such I have no comments. The locus falls under the purview of the Planning Board.

Fleanor Antonietti

**Zoning Administrator** 



### Memo

To: Board of Selectmen

From: Amy Baxter, Business License Inspector

cc: Libby Gibson, Town Manager; William Pittman, Chief of Police

**Date:** May 11, 2016

**Re:** BOS Public Hearing 5-18-16: Le Languedoc Entertainment License

Please find the attached documents for your review:

- 1. Entertainment Application Checklist
- 2. Le Languedoc Cover Letter
- 3. Entertainment License Application for Le Languedoc, 24 Broad Street
- 4. Department Comments from Police; Fire; Building; Zoning
- 5. Legal Notice for Inquirer Mirror, May 5 & May 12
- 6. Abutters List

#### Please note:

- 1. There is no current or previous Entertainment License for this location.
- 2. All Fees have been paid.



#### **ENTERTAINMENT APPLICATION CHECKLIST**

#### A Complete Entertainment Application must include the following:

- 1. A cover letter to the Board of Selectmen describing the request for an Entertainment License
- 2. The Town's completed Entertainment License application form (4 pages)
- 3. Comments on Application from Police; Fire; Building; Planning; Zoning Board; Tax Collector. A final approved COI must be obtained before a final License is issued.
- 4. Legal Notice Advertised: May 5 & May 12
- 5. Abutter Notification with copy of Legal Notice. Abutter List from Assessor's Office.
- 6. The Abutter Notice Return Receipt Card
- 7. \$20.00 check payable to the *Town of* Nantucket (Application Fee)
- 8. \$100 check payable to the *Town of Nantucket* (License Fee)
- 9. \$266.90 check payable to *The Inquirer and Mirror* (for 2 Week Required Legal Notice advertisement)
- 10. Current/Previous Entertainment License for Premises if applicable

### Languedoc Inn & Bistro

P.O. box 1829, 24 Broad Street Nantucket, Massachusetts 02554

508-228-2552

**Board of Selectmen** 

16 Broad Street

Nantucket. Ma. 02554

April, 11 2016

#### Dear Board Of Selectmen

Please find enclosed for your consideration a local entertainment License Application. Our request is for radio (Pandora System) and DMX equipment to play low key background music for our patrons. We will be using Low voltage 6" X 9" speakers in each dinning room to pipe the background music. We are also requesting a 27" flat screen T.V. to be placed behind the bar in the lower dinning room and four 27" T.V. for each guest room.

Sincerely,

Neil C. Grennan

### TOWN AND COUNTY OF NANTUCKET NEW ENTERTAINMENT LICENSE APPLICATION

#### APPLICATION FOR LIVE AND NON-LIVE ENTERTAINMENT LICENSE

Please complete this application, sign, date and return with all requested documents to LICENSING OFFICE, 4 FAIRGROUNDS ROAD, NANTUCKET MA 02554
Office hours: Monday-Friday 8:00AM – 4:00PM
508-325-4137

amcandrew@police.nantucket-ma.gov

1. Describe specifically where on the premises you wish to have Entertainment (Indoors? Outdoors?)
Speason in such dinning noon, two
and deep 27 " TH Select Rame
2. Telephone number for business establishment: 308-228-3552
Please check below: Categories of Entertainment for which you are applying:
3. Instrumental Music Types of Instruments: N / A
Total Number of Instruments? N/M
4. Vocal Music Number of Vocalists? Number of Vocalists?
5. Disc Jockey Karaoke 6. Dancing by Patrons Describe Size/Location of
Dance Floor on premises: W/A
Hours of Dancing by Patrons:
7. Exhibition or Trade Show Describe N/14
8. Movie Theatre Number of Screens? Number of Screens?
9. Stage Plays Number of Stages? Number of Stages?
10, Radio DMX CD Player i-Pod Other
11. Number of Widescreen TV's and Locations? One 27" lethird ben Fuer in Such Kum
12. Floor Shows Describe Type/Hours (i.e.Comedian, etc.)
13. Will Entertainment be AMPLIFIED via speakers, sound system, other? Yes No
If YES, please explain details

14. If athletic event(s) are to be held, please describe
15. Will an Admission/Cover fee be charged? Yes No
If YES, describe types of Entertainment and \$ Amount of Cover Charge:
15. Hours during which Entertainment will be offered (A.M. and P.M.)?
Monday From 10 4 m To 11 2 m  Tuesday From To To  Wednesday From To  Thursday From To  Friday From To  Saturday From To  Sunday From To  U D M  To  To  To  To  To  To  To  To  To  T
16. Please list all other business licenses associated with the premises (Liquor, CV, Sunday Entertainment License from State, etc.):
LICENSE MANAGER OF RECORD
1. Proposed Manager of Record Mel C Grenn Email: Mel 1 2 grenn at yellow lem 2. Home Address Q D By 1829 24 Bruse St Minle Mat 02656 pt 3. Telephone/Cell Phone 508-228 1 4885 SSN
2. Home Address Q Q Buf 1829 24 Bruse St Nonlinks 1 Ma 02552
3. Telephone/Cell Phone 508-221 4885 SSN_
4. Date of Birth Place of Birth
5. Mother's Maiden Name
WITHIN THE PAST SEVEN (7) YEARS, HAS THE PROPOSED MANAGER BEEN CONVICTED OF A FELONY OR A VIOLATION OF A STATE OR FEDERAL NARCOTICS LAW?
Yes: (Please explain)
No: L

### **OPERATIONS**

1) Proposed capacity of premises;	
2) Number of Restrooms Number of Egresses #	
3) Days/Hours of Operation for Liquor License? Seven duy 10 Am to M	ids
3) Days/Hours of Operation for Liquor License? Seven duy 10 mm to M 4) Days/Hours of Operation for CV License? Sure duy 10 mm to Muc	an
5) a. Number of employees on premises during peak hours?	_
b. Number of employees on premises at any given time?	
c. Number of Managers or designated person in charge at any given time?	
BUSINESS ORGANIZATION	
Please check the applicable section:	
The business for which this application is being filed is a:    Sole Proprietorship (Please state owner's name)   DBA	
Partnership (List Partner names)	
Director and Shareholder and the % of stock held by each person)  The stock held by each person of the stock of th	
DBA J Ranguedu San & 1915ton  2. Employer EIN/FID: 043588131	
3. If new ownership, please indicate previous d/b/a, owner and date you assumed ownership	
1. Was there an approved transfer of an Alcoholic Beverages or CV license within the past 12 months?  Y  N  If YES, when?	
5. Do you have any financial or corporate relationship with the prior owner? Select  If YES, please describe:	
6. Does any person who holds direct or indirect interest in this premises hold direct or indirect Interest in any other premises which has an Entertainment license in the Town of Nantucket? Select If YES, please describe:	

- 7. Has any person who holds direct or indirect interest in the premises ever been denied an Entertainment license or had an Entertainment license suspended, revoked, or voluntarily surrendered an Entertainment license in any jurisdiction? Select If YES, please attach an explanation on a separate page with dates and the name of the person with the aforementioned interest.
- 8. Has the applicant, or officer of the applicant: (If YES, please attach an explanation.

a. Been convicted of a felony in the past seven (7) years? Select

- b. Held any interest in an Alcoholic Beverage or CV license which has been suspended or revoked or voluntarily surrendered? Select
- c. Have any knowledge of illegal activity by its principals which may effect this license or the licensed premises?

  Select

#### STATEMENT OF APPLICANT



#### **ENTERTAINMENT APPLICATION COMMENTS**

Applicant: Le Languedoc

Location of Premises: 24 Broad Street

BOS Review Date: May 18, 2016

#### **Police Department**:

The NPD does not have any issues with this application.

Chief William Pittman

#### Fire Department:

Nantucket Fire has no concerns over the use of televisions behind the bar or within the guest rooms.

**Robert Bates** 

Fire Alarm Superintendent

#### **Building Department**:

No issues or concerns.

Stephen Butler

**Building Commissioner** 

#### Zoning:

This matter is not of zoning concern and as such I have no comments. The locus falls under the purview of the Planning Board.

Eleanor Antonietti

**Zoning Administrator** 

#### **NEW LICENSE CHECKLIST**

### This application will be returned if the following documentation is not submitted:

Retail Transmittal Form
∑ \$200.00 Fee made payable to the Commonwealth of Massachusetts or the ABCC
⊠ Newspaper Notice
Abutter Notification
Retail Application with:
∨ote of Corporate Board or LLC
Manager's Form
Proof of Citizenship for proposed manager (Passport, US birth certificate, Naturalization papers, Voter Registration)
Personal Information Form for all individuals with beneficial interests in the license and proposed license manager
Articles of Organization for Corporation or LLC
All financial records, loan agreements and/or documents, for source(s) of money who are   I funding more than \$50,000 towards this license transaction
⊠ Floor Pian
⊠ Signed lease or documents proving a legal right to occupy premises

#### APPLICATION FOR RETAIL ALCOHOLIC BEVERAGE LICENSE

City/Town Nantucket, MA

1. LICENSEE INFORMATION:
A. Legal Name/Entity of Applicant:(Corporation, LLC or Individual) Theatre Workshop of Nantucket, Inc
B. Business Name (if different):  C. Manager of Record: Jonathan Jensen
D. ABCC License Number (for existing licenses only):
E.Address of Licensed Premises Bennett Hall, 62 Centre Street   City/Town: Nantucket   State: MA   Zip:   02554
F. Business Phone: (508) 228-9001 G. Cell Phone: 812-230-0751
H. Email: jjensen@theatreworkshop.com I. Website: www.theatreworkshop.com
J.Mailing address (If different from E.): PO Box 1297 City/Town: Nantucket State: MA Zip: 02554
2. TRANSACTION:
New License       New Officer/Director       Transfer of Stock       Issuance of Stock       Pledge of Stock         Transfer of License       New Stockholder       Management/Operating Agreement       Pledge of License         The following transactions must be processed as new licenses:       Seasonal to Annual       (6) Day to (7)-Day License       Wine & Malt to All Alcohol         IMPORTANT ATTACHMENTS (1):       The applicant must attach a vote of the entity authorizing all requested transactions, including the appointment of a Manager of Record or principal representative.         3. TYPE OF LICENSE:         S12 Restaurant       \$12 Hotel       \$12 Club       \$12 Veterans Club       \$12 Continuing Care Retirement Community
4. LICENSE CATEGORY:
☐ All Alcoholic Beverages ☐ Wines & Malt Beverages ☐ Wines ☐ Malt
☐ Wine & Malt Beverages with Cordials/Liqueurs Permit
5. LICENSE CLASS:
☐ Annual ⊠ Seasonal

ase provide a complete descr	(000) 003 007		STATE: MA		ZIP CODE:	02564	
CONTACT PHONE NUMB  EMAIL: Isoeder@soed  DESCRIPTION OF PREMI	BER: (860) 685-0678	3	_		ZIP CODE:	02564	
EMAIL: Isoeder@soed  DESCRIPTION OF PREMI	(000) 003 007	3	FAVALL				
DESCRIPTION OF PREMI	er-associates.com		FAXINO	MBER:	(508) 257-792	.7	
ease provide a complete descr							
DESCRIPTION OF PREM ease provide a complete descr	CHARGON TO THE TOTAL THE TOTAL TO THE TOTAL THE TOTAL TO						
clude: number of floors, numb	iption of the premises. F	or, anv outdoor ar	eas to be includ	led in lice	nsed area, and tota	<u>al square footage</u> . i.e.: " <i>Th</i>	hree s
ilding, first floor to be licensed	, 3 rooms, 1 entrance 2	exits (3200 sq ft); o	utdoor patio (12	00 sq ft);	Basement for stora	ge (1200 sq ft). Totol sq ft	t = 561
			CONTRACTOR AND ADDRESS OF THE PARTY OF THE P		M.L. manufakan mengangan kelangan mengangan mengangan mengangan mengangan mengangan mengangan mengangan mengang	No.	
The wine and malt are to be	served by a TIPs certifie	d bartender from a	bar located on t	he back ri	ight side of the grou	und floor of the 130 seat t	theatr
located in Bennet Hall. Wine	and malt purchased at	the bar may be con	isumed in the th	eatre or ir	n the lobby to the t	neatre. See attached diag	gram.
Total Square Footage:	1,037	Number o	of Entrances:	3	Numl	ber of Exits: 5	~
Occupancy Number:	155			Seating (	Capacity: 13	0	
IMPORTANT ATTACHMENTS (2):	The applicant must attach	a floor plan with dim	ensions and squar	e footage fo	or each floor & room.	,	
OCCUPANCY OF PREMIS	SES:						
By what right does the app	olicant have possessio	n and/or legal oc	cupancy of the	premise	s? Final Lease	**************************************	***************************************
IMPORTANT ATTACHMENTS (3):	The applicant must submit	a copy of the final le	ase or documents	evidencing	a Other:		
legal right to occupy the premises	OULTANDON						
Landlord is a(n): Please	e Select		Other	Church			
Name: First Congregati	onal Church of Nantu	cket	PI	none: (	508) 228-0950		
Address: 62 Centre Stree	t	City/Towr	n: Nantucket		State: MA	Zip: 02554	
Initial Lease Term: Begin	ning Date 01/20	0/2014	Endin	g Date	12/31/2018		
Renewal Term: 01	/01/2019	Options/E	Extensions at:	5	Years Ea	ach	
Daniel.	Per Year	Rent:	\$4,600		Per Month		
Rent: \$55,200							
Rent: \$55,200  Do the terms of the lease of Yes No X	or other arrangement	require payment	s to the Landlo	rd based	on a percentage	of the alcohol sales?	

9. LICENSE STRUCTURE:			A STATE OF THE STA
The Applicant is a(n):	Corporation	Other: 501(c)(3) organizati	on
If the applicant is a Corporation or LLC, complete the following:		3: Date of Incorporation/Organization	n: 08/1968
State of Incorporation/Or	ganization: MA		]
Is the Corporation publicly	y traded? yes 🗌 No 🔀		
10. INTERESTS IN THIS LIC	CENSE:		
direct or indirect, beneficial or i IMPORTANT ATTACHMENTS (4 A. All individuals or entities liste	financial interest in this license. i); ed below are required to complete a <u>Per</u> s	rectors, officers and LLC members and managers) as sonal information Form.  Sonal in this license must complete a CORI Release For	
Name	All Titles and Positions	Specific % Owned Or	ther Beneficial Interest
*If additional space is neede	d, please use last page.		
11. EXISTING INTEREST IN			
beverages? Yes No		eneficial or financial interest in any other licens  DW:	e to sell alconolic
Name	License Type	Licensee Name & Addr	ess
	Please Select		
*If additional space is nee	Please Select		
er adminding abace is HEC	and broad are rare harper		

12. PREVIOUSLY HELD INTER  Has any individual listed in §1 financial interest in a license t	0 who has a direct or indirect be	eneficial interest in this license eventhis in the second	er held a direct or ind No <b>lf yes,</b> list s	irect, beneficial or said interest below:
Name	Licensee N	lame & Address	Date	Reason Terminated
				Please Select
				Please Select
				Please Select
13. DISCLOSURE OF LICENSE  Have any of the disclosed lice  Yes ☐ No ☐ If yes, list said	enses to sell alcoholic beverages	s listed in §11 and/or §12 ever bee	n suspended, revoke	d or cancelled?
Date	License	Reason of Suspensio	n, Revocation or Cand	cellation
A.) For Individual(s):	NCY REQUIREMENTS FOR A	(§15) PACKAGE STORE LICENS	E ONLY :	
<ol> <li>Are you a U.S. Citizen?</li> <li>Are you a Massachusetts Re</li> </ol>	esidents?			Yes ☐ No ☐ Yes ☐ No ☐
B.) For Corporation(s) and LL				
1. Are all Directors/LLC Manag				Yes 🗍 No 🦳
2. Are a majority of Directors/	- /L <b>L</b> C Managers Massachusetts R	Residents?		Yes □ No □
3. Is the License Manager a U.	3. Is the License Manager a U.S. Citizen?  Yes No			
C.) For Individual(s), Shareho	lder(s), Member(s), Director(s)	and Officer(s):		
1 Are all Individual(s), Sharehol	ders, Members, Directors, LLC Mar	nagers and Officers involved at least to	venty-one (21) years old	1? Yes 🗌 No 🗍
15. CITIZENSHIP AND RESIDE VETERANS CLUB LICENSE ON		§12) RESTAURANT, HOTEL, CLU	B, GENERAL ON PR	EMISE, TAVERN,
A.) For Individual(s):				
1. Are γου a U.S. Citizen?				Yes No
B.) For Corporation(s) and LL	.C(s) :			
	'LLC Managers <u>N<b>OT</b></u> U.S. Citizer	n(s)?		Yes ☐ No 🔀
2. Is the License Manager or F	Principal Representative a U.S. (	Citizen?		Yes ⊠ No □
C.) For Individual(s), Shareho	ider(s), Member(s), Director(s)	and Officer(s):		
1 Are all Individual(s), Sharehol	ders, Members, Directors, LLC Mar	nagers and Officers involved at least tv	venty-one (21) years old	<sup>{}</sup> Yes ☐ No ☐

16. COSTS ASSOCIATED WITH LICENSE TRA	ANSACTION:			
A. Purchase Price for Real Property:				
B. Purchase Price for Business Assets:		IMPORTANT ATTACHMENTS (5): Any individual, LLC, corporate entity, etc. providing funds of \$50,000 or greater towards this transaction, must provide proof of the source of said funds. Proof may consist of three consecutive months of bank statements with a minimum balance of the amount described, a letter from your financial institution stating there are sufficient funds to		
C. Costs of Renovations/Construction:				
D. Initial Start-Up Costs:				
E. Purchase Price for Inventory:				
F. Other: (Specify)		cover	the amount described, loan tation, or other documentation.	
G: TOTAL COST	\$0.00	document	action, or other documentation.	
H. TOTAL CASH				
I. TOTAL AMOUNT FINANCED			nts listed in subsections (H) and (I) I the amount reflected in (G).	
17. PROVIDE A DETAILED EXPLANATION	OF THE EODINIC AND COUR	CE(C) OE EIIN	IDING FOR THE COSTS IDENTIFIED	
ABOVE (INCLUDE LOANS, MORTGAGES,				
h:/A				
N/A				
*If additional space is needed, please use las	t page.			
18. LIST EACH LENDER AND LOAN AMOUNTED THE STATE OF THE S	JNT(S)FROM WHICH "TOTAL	AMOUNT FII	NANCED"NOTED IN SUB-SECTIONS 16(I)	
Α.				
Name	Dollar Amount		Type of Financing	
N/A				
It additional space is needed, please use las	t page.			
B. Does any individual or entity listed in §17	or §18 as a source of financing ha	eve a direct or	indirect, beneficial or financial interest in this	
license or any other license(s) granted under			·	
If yes, please describe:				
		004-1-2204- <del>9</del> 0-3-4-204-000-0000-0000-0000		
			1	

19. PLEDGE: (i.e. COLLA	TERAL FOR A LOAN)			
A.) Is the applicant se	eking approval to pledge the lice	ense? 🔲 Yes 🔀 No		
1. If yes, to whom:			·	
2. Amount of Loan:	3. Int	erest Rate:	4. Length of Note:	
5. Terms of Loan:				
B.) If a corporation, is	the applicant seeking approval	to pledge any of the corpo	orate stock? 🔲 Yes 🗵 No	
1. If yes, to whom:				
2. Number of Shares:				
C. ) Is the applicant pl	edging the inventory?   — Yes	⊠ No		
If yes, to whom:	(PARILLE SP) — SALID R. OPERIT AND CONTROL AND A STATE ASSAURANCE AND CONTROL			
20. CONSTRUCTION ( Are the premises being performed on the prem	remodeled, redecorated or constru	cted in any way?_If YES, plea	se provide a description of the work being	ar va varsoanna
performed on the prem	ises; Tes Mino			
21. ANTICIPATED OP	NING DATE:	May 26th, 2016		

IF ALL OF THE INFORMATION AND ATTACHMENTS ARE NOT COMPLETE THE APPLICATION WILL BE RETURNED



#### The Commonwealth of Massachusetts Alcoholic Beverages Control Commission 239 Causeway Street Boston, MA 02114

www.mass.gov/abcc

#### **MANAGER APPLICATION**

All proposed managers are required to complete a Personal information Form, and attach a copy of the corporate vote authorizing this action and appointing a manager.

1. LICENSEE INFORMATIO	V:	
Legal Name of Licensee:	Theatre Workshop of Nantucket, Inc.	Business Name (dba):
Address:	62 Centre Street	
City/Town:	Nantucket	State: MA Zip Code: 02554
ABCC License Number: (If existing licensee)		Phone Number of Premise: (508) 228-9001
. MANAGER INFORMATION	on:	
A. Name: Jonathan Jens	en	B. Cell Phone Number: 812-230-0751
C. List the number of hou	ers per week you will spend on the lice	nsed premises: 10+
. CITIZENSHIP INFORMAT	ion:	
A. Are you a U.S. Citizen:	es No B. Date of Naturalization:	C. Court of Naturalization:
(Submit proof of citizenship	and/or naturalization such as US Passpor	t, Voter's Certificate, Birth Certificate or Naturalization Papers)
BACKGROUND INFORM	ATION:	
A. Do you now, or have yo in a license to sell alcohol	ou ever, held any direct or indirect, ber ic beverages?	neficial or financial interest Yes ☐ No ⊠
If yes, please describe:	THE RESIDENCE AND A SECOND CONTRACTOR OF THE PARTY OF THE	
B. Have you ever been the has been suspended, revo	e Manager of Record of a license to sel oked or cancelled?	l alcoholic beverages that Yes ☐ No ☒
If yes, please describe:	***************************************	
C. Have you ever been the	Manager of Record of a license that v	vas issued by this Commission? Yes No 🗵
If yes, please describe:		
D. List your employment f	or the past ten years (Dates, Position,	Employer, Address and Telephone):
68/2016 - 05/2011, Actor/Te	of Patron Services, Kauffman Center for the chnician, Beef and Board Dinner Theatre, 93 ce Actor & Stage Performer, 812-230-0751	Performing Arts, 1601 Broadway Blvd., Kansas City, MO 64108, 816-994-7200 301 Michigan Rd., Indianapolis, IN 46268, 317-872-9664
I hereby swear ander the pair Signature	ns and penalties of perjury that the informa	ntian I have provided in this application is true and accurate:  Date 3/7/10

#### **APPLICANT'S STATEMENT**

l, Jonat	the: Sole proprietor; partner; corporate principal; LLC/LLP member  Authorized Signatory
ofThe	Theatre Workshop of Nantucket , hereby submit this application for a Seasonal Wine and Malt License- On Premises  Name of the Entity/Corporation Transaction(s) you are applying for
-	nafter the "Application"), to the local licensing authority (the "LLA") and the Alcoholic Beverages Control Commission (the "and together with the LLA collectively the "Licensing Authorities") for approval.
Applica	ereby declare under the pains and penalties of perjury that I have personal knowledge of the information submitted in the ation, and as such affirm that all statement and representations therein are true to the best of my knowledge and belief. er submit the following to be true and accurate:
(1)	I understand that each representation in this Application is material to the Licensing Authorities' decision on the Application and that the Licensing Authorities will rely on each and every answer in the Application and accompanying documents in reaching its decision;
(2)	I state that the location and description of the proposed licensed premises does not violate any requirement of the ABCC or other state law or local ordinances;
(3)	I understand that while the Application is pending, I must notify the Licensing Authorities of any change in the information submitted therein. I understand that failure to give such notice to the Licensing Authorities may result in disapproval of the Application;
(4)	I understand that upon approval of the Application, I must notify the Licensing Authorities of any change in the Application information as approved by the Licensing Authorities. I understand that failure to give such notice to the Licensing Authorities may result in sanctions including revocation of any license for which this Application is submitted;
(5)	I understand that the licensee will be bound by the statements and representations made in the Application, including, but not limited to the identity of persons with an ownership or financial interest in the license;
(6)	I understand that all statements and representations made become conditions of the license;
(7)	I understand that any physical alterations to or changes to the size of, the area used for the sale, delivery, storage, or consumption of alcoholic beverages, must be reported to the Licensing Authorities and may require the prior approval of the Licensing Authorities;
(8)	I understand that the licensee's failure to operate the licensed premises in accordance with the statements and representations made in the Application may result in sanctions, including the revocation of any license for which the Application was submitted; and
(9)	I understand that any false statement or misrepresentation will constitute cause for disapproval of the Application or sanctions including revocation of any license for which this Application is submitted.
Signa	
Title:	Managing/Director



### **LIQUOR LICENSE APPLICATION COMMENTS**

Applicant: Theatre Workshop of Nantucket

Location of Premises: Bennett Hall, 62 Centre Street

Type of Liquor License: Seasonal, General On Premises

BOS Review Date: May 18, 2016

#### **Police Department**:

The NPD does not have any issues with this application.

Chief William Pittman

#### Fire Department:

This building has two different levels that could be considered ground floor. There needs to be very strict control of liquor sales / use because the patrons have a tendency to slip out on the front patio and consume their beverages – and the license clearly states "in the theater or in the lobby to the theater." Occupancy is 150.

**Robert Bates** 

Fire Alarm Superintendent

#### **Building Department:**

COI valid through 11/30/2016

Stephen Butler

**Building Commissioner** 

#### Zoning:

This matter is not of zoning concern and as such I have no comments. The locus falls under the purview of the Planning Board.

Eleanor Antonietti

**Zoning Administrator** 

# 10,00

RECEIVED BOARD OF ASSESSORS

MAY 0 6 2016

#### TOWN OF NANTUCKET

TOWN OF NANTUCKET, MA

#### LIQUOR LICENSE

LIST OF PARTIES IN INTEREST IN THE MATTER OF THE PETITION OF:
PROPERTY OWNER First Congregational Church
MAILING ADDRESS P.O. Box 1297
PROPERTY LOCATION 62 Centre Street
ASSESSORS MAP/PARCEL 4243   Parcel: 75
SUBMITTED BY: Vonathan Jensen 508:228:9001 Office

#### SEE ATTACHED PAGES

I certify that the foregoing is a list of persons who are owners of land whose property directly touches the proposed property and churches and schools within 500 feet of the property, all as they appear on the most recent applicable tax list.

May 6, 2016

DATE |

ASSESSOR'S OFFICE TOWN OF NANTUCKET

### ABBUTTERS LISTING NANTUCKET, MA

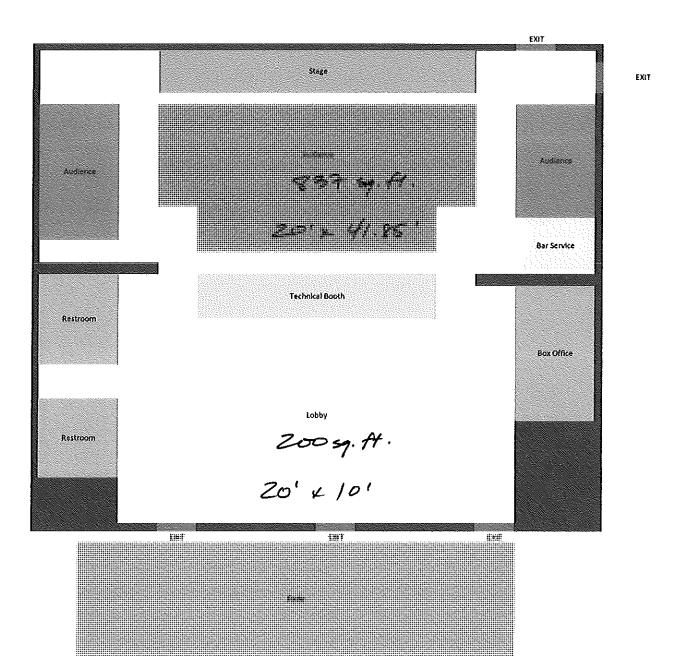
Map	Block	Lot	Unit	Owner~s Name	Co Owner~s Name	Address	City	ST Zip	Parcel Location
4243		73		CB & AB LLC		РО ВОХ 387	NANTUCKET	MA 02554 °	66 CENTER ST
4243		74		FIRST CONGREGATIONAL CHURCH		BOX 866	NANTUCKET	MA 02554	64 CENTER ST
4243		76		60 CENTER STREET LLC		44 BUTLER HILL ROAD	SOMERS	мү 10589	60 CENTER ST
4243		103		WEST MARY G & JOHN C		35 LILY ST	NANTUCKET	MA 02554	35 LILY ST
4243		104		BISCHOF ELEANOR CONSTANCE TRS		29 BRINKER ROAD	BARRINGTON	IL 60010	31 LILY ST
4243		105		ANDREWS VINCENT F III	•	1133 PARK AVENUE # 1W	NEW YORK	NY 10128	29 LILY ST
4243		106		DAMMIN ANITA JUNE COFFIN &	CAMP ABIGAIL	27 LILY ST	NANTUCKE <b>T</b>	MA 02554	27 LILY ST
4243		108		HANSON ALEXANDER D & LAURA F	•	1 MOORHEAD DRIVE	PENNINGTON	NJ 08534	7 ACADEMY LN
4243		109		NANTUCKET HEAVEN LLC ETAL		C/O 27 GENEVA POINT RD	MOULTONBOROUGH	NH 03254	2 CHURCH CT

#### AFFIDAVIT OF NOTICE OF MAILING TO ABUTTER AND OTHERS

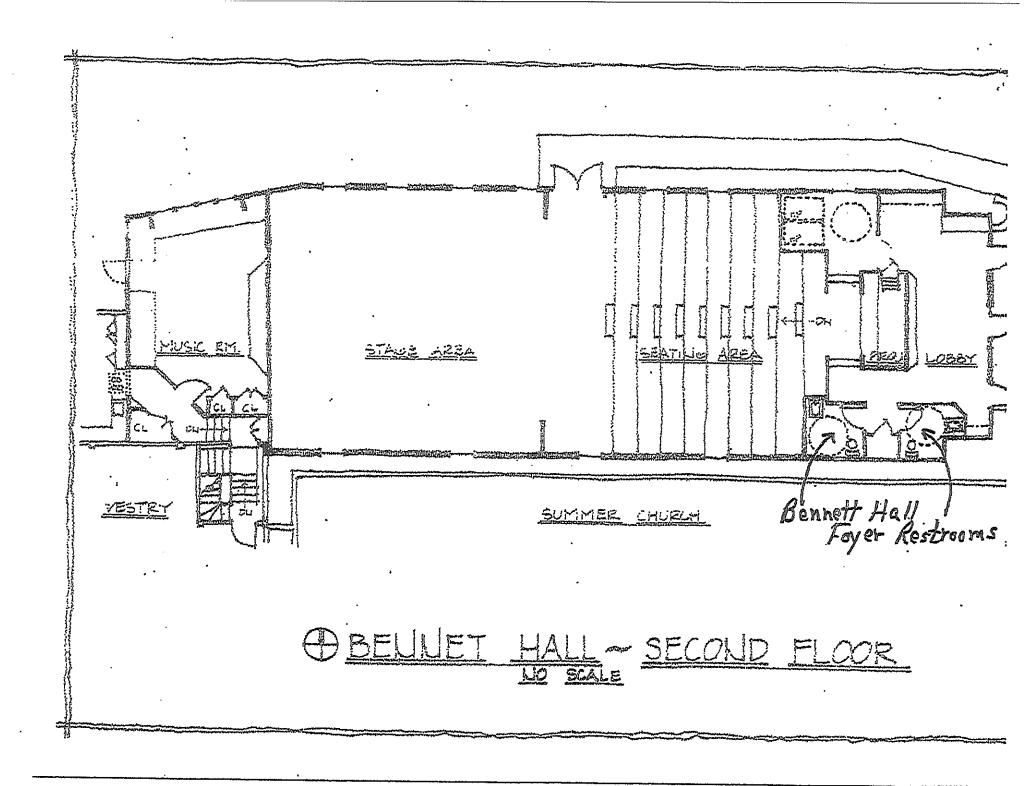
o the Licensing Board			
For the Town of Nantucket		Date	Feb 22, 2016
I, Jonathan Jensen	hereby certify th	nat the followin	g is a true list of the persons
shown upon the Assessor's most recent valuation list as the	owners of the pro	perty abutting	the proposed location for an
alcoholic beverages license at:  Bennett Hall, 62 Centre Str	eet, Nantucket, M	A 02554	
And that the following schools, churches or hospitals are localion:	cated within the ra	ndius of five hu	ndred (500) feet from said proposed
First Congregational Church			
If there are none, please so state:			
l also certify that the notice of this application/petition conc mailing to each of them within three (3) days after publicatio attached are the registered receipts/return registered receip	on of same, a copy	of the adverti	sement is attached below. Also
Signed and subscribed to under the penalties of perjuries:  Printed: Jonathan Jensen	-	17A CON	HERINE MARIE TOVET  Notary Public  MONWEALTH OF MASSACHUSETTS
Written: Salle	ett om antimistra and de section		My Commission Expires February 17, 2023
Date: 3/7/16	<b>.</b>	/ cl	hoine Main Tanos
	Notary Publi	c:sion Explres:	For 17 2023

#### ABUTTER NOTICE-PUBLIC HEARING

Please be advised that a Public Hearing will be held on Wednesday, May 18, 2016 at 6:00PM to hear an application for a New Seasonal Wine and Malt Section 12 General On Premises liquor license for Theatre Workshop of Nantucket, Inc., Manager, Jonathan Jensen, for the premises located at Bennett Hall, 62 Centre Street, Nantucket MA 02554. The hearing will take place at the Public Safety Facility, 4 Fairgrounds Road, 1st Floor Community Room, Nantucket MA 02554. BOARD of SELECTMEN



NOT TO SCALE



Print | Maln Menu

Do not click Back-Space to leave this window



This Certificate of Completion of

eTIPS On Premise 2.0

For coursework completed on April 5, 2016

provided by Health Communications, Inc.

is hereby granted to:

Jonathan Jensen

Certification to be sent to:

Theatre Workshop of Nantucket, Theatre Workshop, TWN

10 Washington St

Nantucket MA, 02554-3847 USA





# Town and County of Nantucket Board of Selectmen • County Commissioners

James R. Kelly, Chairman Rick Atherton Robert R. DeCosta Matt Fee Dawn E. Hill Holdgate



16 Broad Street Nantucket, Massachusetts 02554

> Telephone (508) 228-7255 Facsimile (508) 228-7272 www.nantucket-ma.gov

> C. Elizabeth Gibson Town & County Manager

At a meeting held Wednesday, May 18, 2016, the Nantucket Board of Selectmen approved an application for a new Section 12 Seasonal Wine/Malt Beverages General On-Premises license for Theatre Workshop of Nantucket, Inc., Jonathan Jensen, Manager, for the premises located at 62 Centre Street, Nantucket, MA 02554. The Board determines that this new liquor license is not detrimental to the spiritual activities of the First Congregational Church, 62 Centre Street, Nantucket, MA. This abutter is located within 500 feet of the premises of 62 Centre Street.

James R. Kelly, Chairman
Dawn E. Hill Holdgate, Vice Chairman
Rick Atherton
Robert R. DeCosta
Matthew G. Fee



### **PUBLIC HEARING**

Please be advised that the Board of Selectmen will hold a public hearing on Wednesday, May 18, 2016 at 6:00 PM to

consider increasing the fee per ton for Mixed Excavation

Waste from \$30/ton to \$60/ton. The hearing will be held in

the first floor Community Room of the Public Safety

Facility, 4 Fairgrounds Road, Nantucket, MA 02554. BOARD OF SELECTMEN E22

# E-Permitting EnerGov

TOWN OF NANTUCKET
MAY 2016

## **E-Permitting Objectives**

- Streamline permit application process
- Enable electronic routing of approvals
- Reduce paper
- Provide flexibility for information retrieval and reporting
- Improve overall permit management
- Allow for early problem identification

# **Brief History**

### Town of Nantucket Initiative (2011)

- RFP issued and bids received
- Estimates received were higher than anticipated

### • Cape Cod Commission (CCC) Regional Initiative (2012 – 2015)

- Nantucket invited to participate in pilot project (Dec 2011)
- CCC received \$500,000 Community Innovation Challenge award (Mar 2012)
- Vendor selected (July 2012)
- Contract negotiations concluded (Aug 2012)
- Project officially started with 3 Cape Towns (Sept 2012)
- O Design focus on HDC, Building and Business Licenses
- Complex Implementation (business processes, integration, data conversions)
- System built in West Coast Data Center and ready for Go-Live (Summer 2014)
- Response time issues resulted in move to East Coast Data Center (Dec 2014)
- System non-functional
- Frequent Project Manager changes (loss of knowledge)
- Decision to cancel (July 2015)

# **Current Project**

- E-Permitting team formed late fall of 2015
  - Members PLUS, Finance, DPW, Licensing, IT, Town Clerk, Administration
- Evaluated 4 software products
  - EnerGov (TylerTechnologies)
  - Municity (GeneralCode)
  - PeopleGIS
  - ViewPoint Cloud
- Selected EnerGov product

# Comparison

	Energov	ViewPoint Cloud	MuniCity	PeopleGIS		
Initial Cost	\$179,094	\$53,600	\$115,658	\$79,500		
Annual Cost	\$32,834	\$39,600	\$19,680	\$20,000		
EnerGov		iture, Fully Featu House Expertise JNIS integration	,			
ViewPoint	Cloud		<ul><li>Too simplistic</li><li>Cost dependent on # of permits</li></ul>			
Municity			<ul><li>No Planning &amp; Zoning Package</li><li>Public Portal costly</li></ul>			
PeopleGIS		<ul><li>For</li></ul>	<ul><li>Extensive Development</li><li>Forms Based</li><li>Primitive Workflow</li></ul>			

### **EnerGov**

- Flexible, easy to use
- Ad-hoc viewing and reporting
- Provides for project based permitting
- Supports non-parcel based permits
- Integration with MUNIS
- Robust GIS functionality
- Strong mobile platform
- Role-based security
- Creation of new permit types appears to be straightforward
- In-house expertise in PLUS

# Project Approach

- Recommend hosted solution (hybrid)
- Each module/permit type implemented in phased approach
- Initial focus will be on Business Licenses and HDC/Building
- Implement in "Back Office" to start
- When staff comfortable, turn on Citizen Access Portal

# **Preliminary Timeline**

	Description of Work	Start and End Dates
Phase One	Procurement	April – May 2016
Phase Two	Base System Setup	May - June 2016
Phase Three	Licensing/Testing/Portal	July – August 2016
Phase Four	Building/HDC/Planning	July - October 2016
Phase Five	Testing (Building)	October – December 2016
Phase Six	Implementation (Building)	January 2017
Phase Seven	Mobile	February – March 2017
Phase Eight	Plan Mark-ups	April 2017
Phase Nine	Citizen Portal	May 2017

# **Next Steps**

- Contract Approval
- GIS Server setup
- Hosted Environment setup
- Kickoff meeting June 20 (tentative)
- Formal Project Plan
- Business Process Reviews
- Administration Training (IT)
- Configuration, Data Conversion, Testing

### The World of EnerGov







### Mobile Apps

#### **eReviews**

eReviews Portal Workspace

## Permitting & Land Management

Requests & Enforcement
Permitting
Planning
Inspections
Impact Management
Projects

## Licensing & Regulatory

Requests & Enforcement Inspections Business Licensing Tax Remittance Rental Property

## ENERGOV GIS

#### Tyler Core Framework

Cashiering Central Contacts Location Manager Content Manager Workflow

#### **Public Access**

ePortal
oData
Social Media
Citizen Apps
(Telephony)

#### Public Maintenance Management

Requests
Work Orders
Preventative Maintenance
Assets & Equipment
Inventory



### **GIS-Centric Solution**

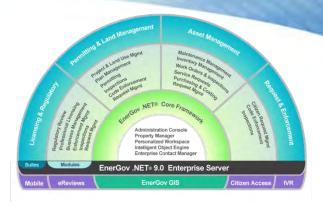
- Inherent in system design
- Fully leverage your GIS investment
- Central property / location validation
- Spatial business processing





### **EnerGov 9 Benefits**

- Centrally connect the enterprise
- Streamline Communication & Processes
- Enhanced Automation Capabilities
- Advanced graphical workflow engine
- Personalized user experience & dashboards
- Robust reporting capabilities
- Comprehensive time tracking







## Citizen Engagement

- 24/7 availability
- Web, smartphone
- Improved customer service
- Focus on constituent collaboration
- Integrated social networking functions



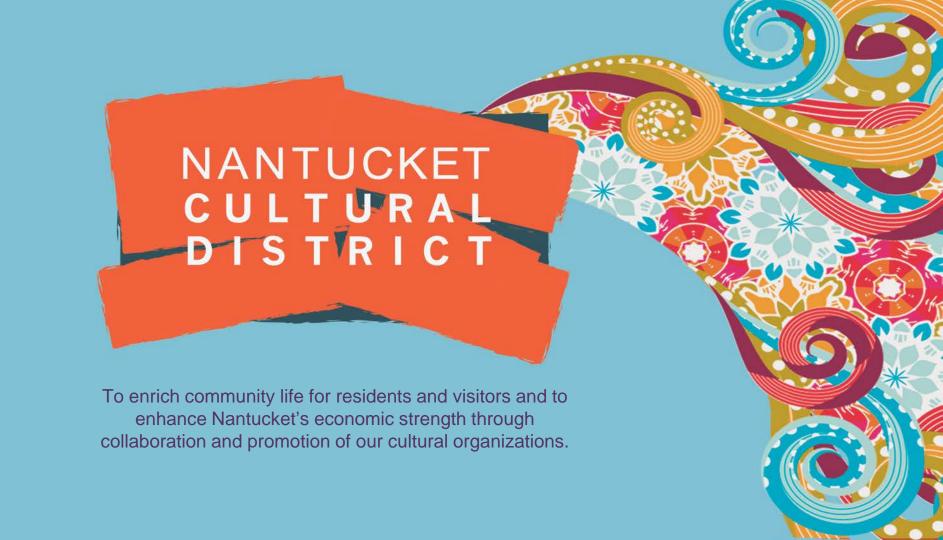


## **Mobility**

- Anytime, anywhere access
- Store and Forward
- Cross-platform support
- Integrated GIS & route optimization
- Foundation of efficiency





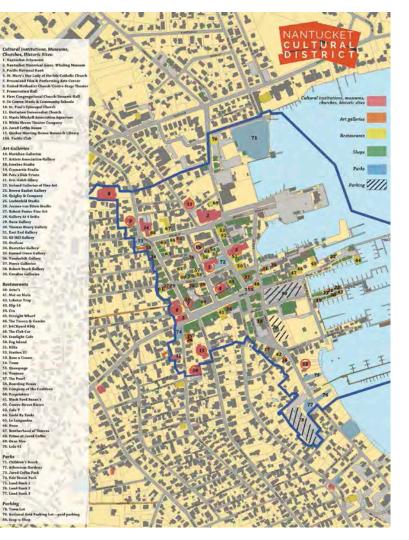


## What is a Cultural District?

The evidence is clear: A thriving creative sector is one of our Commonwealth's most powerful economic development assets. In support of this, the MCC's Cultural Districts Initiative was authorized by an act of the Massachusetts state legislature in 2010, and launched in April 2011.

These cultural districts help local arts, humanities, and science organizations improve the quality and range of their public programs so that more local families can benefit from them. They enhance the experience for visitors and thus attract more tourist dollars and tax revenue. And they attract artists, cultural organizations, and entrepreneurs of all kinds - enhancing property values and making communities more attractive.

One of the distinct attributes of Massachusetts is the authenticity of its communities. From urban centers and fishing ports in the east, to rural hamlets and older industrial centers in the west, the Commonwealth incorporates a wide range of distinctive places. The Cultural District Initiative encourages Massachusetts communities to strengthen this sense of place, while stimulating economic activity, improving the experiences of visitors to our communities, and creating a higher quality of life.



Churches, Historic Sites: I. Nantucket Arbaneum

10. St. Paul's Episcopul Church 11. Unitarian Universalist Church

17 Artists Association Gallery 18. Sosebee Studie 19. Cromartie Studio 20. Pete's Fish Prints 21. Eric Holch Gillery

22, Ireland Galleries of Fine Act 23. Brown Sasket Gallery 24. Quigley & Company 25. Lochtefeld Studio

26. Jeanne van Erten Studi 27. Robert Foster Fine Art 28. Gallery At 4 India 29. Dane Gallery 30. Thomas Henry Gallery 31. East End Gallery 32. GS Hill Gallery

33. Grafices 34. Hostetler Gallery NS. Samuel Owen Galler 36. Vanderbilt Callery

37, Pierce Calleries 38. Robert Stark Galler

39. Cavalier Gallerie

41. Met on Main 42. Lobeter Tran

50. Fog Island 51. NEXa

52. Station 21 53. Rose o Crown 54. Town 55. Queequege

56. Venture 57. The Panel

58, Searding House 59. Company of the Could 61. Black Sped Susan's

62. Centre Street Blatz 63. Cafe V 64. Suchi Se Yoshi

66. Prime at Jared Ceffin 69. Oran Mor 70. Lula 41

71. Children's Beach

75. Land Bank 1 76. Land Sank 2 77, Land Bank 3

84, Step n Shee

72. Atheneum Gardens 73 Sarad Collin Park 74. Fair Street Park

65. Le Languedos 66 Dune 67. Brotherhood of Thier

46. The Tovern & Gasebo 47. bACKyard HSQ 48. The Club Car 49. Starlight Cafe

43. Slip 14 64. Cru 45. Straight When

13. White Heron Theater Company 14. Jared Cottin House

3. Pacific National Bank

7. Preservation Rall

15A. Pacific Club Art Galleries 18. Meridian Galleries

#### ABOUT THE NANTUCKET CULTURAL DISTRICT

The Nantucket Cultural District includes most of the island's primary historic downtown core, which is home to Nantucket's leading cultural institutions, municipal offices, and major public and private buildings. Including:

56 Centre Street - NCMC & NCS Artists Association of Nantucket Gallery Dreamland Film & Performing Arts Center First Congregational Church Jared Coffin House Maria Mitchell Aquarium Nantucket Atheneum Nantucket Historical Association Pacific Club Pacific National Bank Quaker Meeting House/Research Library St. Mary's Church Theatre Workshop of Nantucket Town of Nantucket Government Offices Unitarian Universalist Church **United Methodist Church** White Heron Theatre

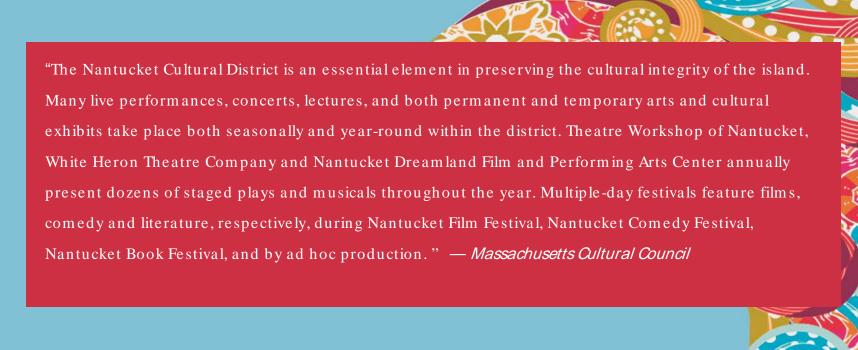
# NCD Committee Members

#### **Executive Committee**

Allan Bell, Downtown Business Association
William Ferrall, Nantucket Arts Council
Virna Gonzalez, ReMain Nantucket
Cecil Barron Ænsen, Artists Association of Nantucket
Melissa Murphy, Office of Culture & Tourism
Anet Schulte, Nantucket Island Chamber of Commerce

#### Steering Committee

Molly Anderson, Nantucket Atheneum
Mary Bergman, Nantucket Lightship Basket Museum
Justin Cerne, Theatre Workshop of Nantucket
Barbara Elder, Nantucket Community Music Center
David Gagnon, Maria Mitchell Association
Rachel Hobart, ReMain Nantucket
Michael May, Nantucket Preservation Trust
Robert Sarkisian, First Congregational Church
Marjan Shirzhad, Nantucket Historical Association



# Massachusetts Cultural District Goals

(as defined by legislature)

- 1. Attract artists and cultural enterprises
- Encourage business and job development
- 3. Establish the district as a tourist destination
- 4. Preserve and reuse historic buildings
- 5. Enhance property values
- 6. Foster local cultural development

# Nantucket Cultural District Goals

- Increase visitor and resident participation in cultural activities through programming, education and community engagement
- 2. Establish and expand collaborations among businesses and cultural institutions
- 3. Boost economic benefits for our cultural institutions and local businesses year round.
- 4. Provide an inclusive experience of cultural and historic Nantucket.

# Nantucket Cultural District Strategies First Year (2016)

- Establish governance policies and management guidelines.
- Determine what constitutes "membership" in the district and establish membership database.
- Create social media profiles and content for our Facebook page, Twitter account and others. Launch regular email communications with members and other constituents.

- 4. Inform local media of the status of the Nantucket Cultural District and plans for its continued operation (articles have already appeared in The Inquirer and Mirror, the island's longtime newspaper of record, and on Mahon About Town, the island's leading electronic newsletter).
- Continued direct participation in Nantucket Island Chamber of Commerce (a Commonwealth of Massachusetts Regional Tourism Council), Massachusetts Cultural Council, and other relevant governmental or professional organizations.

# Nantucket Cultural District Strategies Md Range & Long Term

- Market cohesive cultural and historic experiences and raise visibility year round visibility
- 2. Develop clear and visible recognition of the district (signage, maps, banners, etc)
- Advocate for public transportation linkages (pedestrian, bicycle & bus) and safe access year round for people of all abilities.
- Develop annual surveys and metric tracking methods for businesses, institutions and the public.



## OTHER DISTRICTS IN MASSACHUSETTS

- Aquinnah Circle Cultural & Historic District, Aquinnah
- ◆ Barnstable Village Cultural District, Barnstable
- HyArts Cultural District, Barnstable
- Beverly Arts District, *Beverly*
- Boston Literary Cultural District, *Boston*
- Fenway Cultural District, *Boston*
- Central Square Cultural District, Cambridge
- Concord Center Cultural District, Concord
- Cottage Street Cultural District, *Easthampton*
- Essex River Cultural District, Essex
- Harbortown Cultural District, Gloucester
- Rocky Neck Cultural District, Gloucester
- Riverfront Cultural District, Haverhill
- ◆ Lowell's Canalway District, *Lowell*
- ◆ Central Exchange Cultural District, Lynn
- \* Marlborough Downtown Village Cultural District, Marlborough
- Nantucket Cultural District, Nantucket

- Natick Center Cultural District. *Natick*
- Seaport Cultural District, New Bedford
- Newburyport Cultural District, Newburyport
- Paradise City Cultural District, Northampton
- Orleans Village Center Cultural District, *Orleans*
- Upstreet Cultural District, Pittsfield
- Plymouth Bay Cultural District, *Plymouth*
- Rockport Cultural District, *Rockport*
- Salisbury Cultural District, Worcester
- Glass Town Cultural District, Sandwich
- Scituate Harbor Cultural District, Scituate
- Shelburne Falls Cultural District, Shelburne Falls
- Springfield Central Cultural District, Springfield
- Vineyard Haven Harbor Cultural District, Vineyard Haven
- Williamstown Cultural District, Williamstown



Cobblestone streets throughout historic downtown...





Nantucket Dreamland Theater – reopened after a significant renovation project







First Congregational Church – tower tour & concerts





Foundation underway for the future White Heron Theatre Company







# The Nantucket Community Music Center





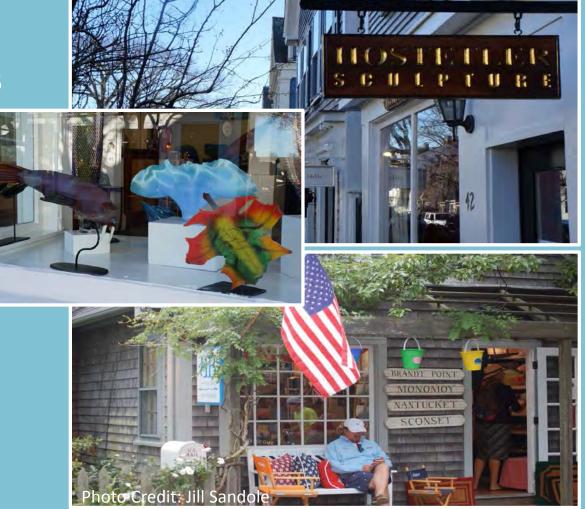




Pocket parks and outdoor markets

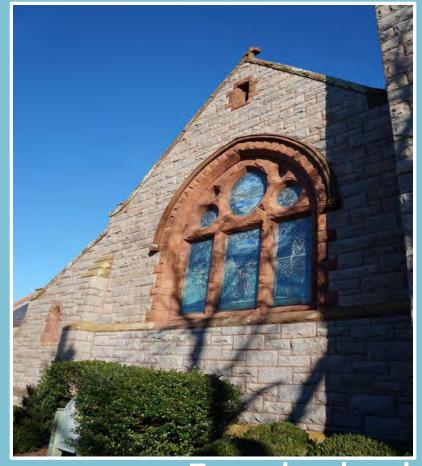
**Shops and galleries** 

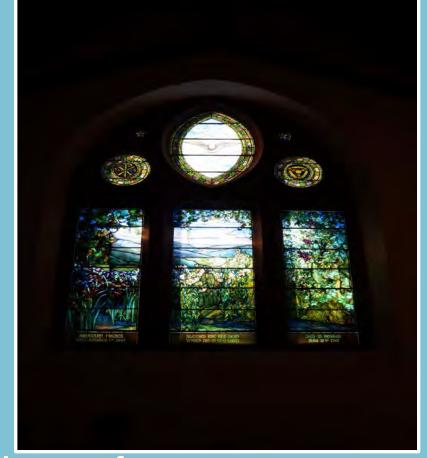






# **Nantucket Arts Festival**





Town churches double as performance and community gathering spaces





Harborside galleries and shops



The Nantucket Atheneum – Nantucket's Public Library, providing community resources that include a 3D printer



# A new culinary center to add to the vibrant downtown





#### Strategic Plan Areas

Per Board of Selectmen May 11, 2016

INFRASTRUCTURE
Transportation\*\*
Municipal Building\*
Downtown Sidewalk System

FINANCIAL Stability Economic Development HOUSING Low Income Moderate Income "Nantucket Affordable" Incentives

ENVIRONMENT
Resiliency
Erosion
Sea Level Rise
Water Quality
Sewer
Fertilizer Use

**Energy Use** 

HEALTH & HUMAN SERVICES
Our Island Home
Substance Abuse
Mental Health
Healthy Living
Quality of Life

Not in but mentioned (Sub categories?):

- \*Efficiency of Town Services
- \*Location/Coordination of Town Departments
- \*\*Parking, Traffic, Public Transportation Services

#### May 11, 2016 Board of Selectmen Workshop Meeting

As of 05/06/16

#### Strategic Plan

- Why do a Plan?
- Who "owns" the Plan?
- What will be the scope of the Plan (content, number of years it will cover)?
- How will the Plan be made "durable" to last through changing Boards?

#### Strategic Plan Process -- Options

Determine how the Plan will be developed:

Engage a facilitator

- Several former Town Managers do this type of work
- Private firms do this (that may or may not have municipal experience)
- Engage a year-round or seasonal resident volunteer who has experience with strategic plans and/or facilitating
- Designate a Board member
- Designate a member of another Board

Determine the approximate length of time to be spent on developing the Plan:

- Schedule a series of meetings dedicated to the development of the Plan
- Schedule a retreat to develop the Plan (could be a half day, could be a full day)
- Discuss the Plan at a reserved section of the Board's meetings

Determine who will be involved, besides the Board of Selectmen and Town Manager:

- Other Boards?
- The public?
- Staff?

Determine how consensus will be reached:

- Vote
- Paper ballot
- Simple show of hands or verbal indication

Determine what to include in the Plan:

- Where we now: what are strengths, weaknesses, opportunities, threats (SWOT analysis) that the Board can agree on
- What are the short-term and long-term objectives and how will they be measured and prioritized?

#### Resources

- Town of Nantucket Master Plan
- Excerpt from *Handbook for Massachusetts Selectmen* "Coordination and Strategic Responsibilities"
- Board of Selectmen Goals 2008-14
- NP & EDC 2015-16 Survey Results
- Examples of Plans from other municipalities
  - Wellesley (in progress multi-year effort; "Unified Plan" called "LIFT Wellesley UP")
  - o Westford (annual retreat; annual goals)
  - o Falmouth (facilitated retreat; 5-year Strategic Plan)
  - o Sandwich (in-house; annual goals)
  - o Arlington (annual Saturday morning meeting with Board & Town Manager; annual goals)
  - o Hingham